

1	<u>I N D E X</u>					
2						
3	<u>Witnesses:</u>	<u>Direct</u>	<u>Cross</u>	<u>Re-</u> <u>direct</u>	<u>Re-</u> <u>cross</u>	<u>By</u> <u>Examiner</u>
4	Kermit Williams		105			
5	Diane Harris	123	138	151	152,154	135,152
6	Edward Korenchan	158	166			165

7						
8	<u>E X H I B I T S</u>					
9						
10	<u>Name</u>	<u>For Identification</u>		<u>In Evidence</u>		
11	Respondent					
12	No. 1	61		127		
13	No. 2	61		132		
14	No. 3	61		134		
15	No. 4	61		157		
16	No. 5	61		157		
17	No. 6	61		157		
18	Complainant					
19	No. 1	61		120		
20	Complainant					
21	No. 2	61		122		
22						

1 (Whereupon, Respondent
2 Exhibit Nos. 1 through 6 were
3 marked for identification.)
4 (Whereupon, Complainant
5 Exhibit Nos. 1 and 2 were
6 marked for identification.)
7 JUDGE TEAGUE KINGSLEY: Pursuant to the
8 direction of the Illinois Commerce Commission, I now
9 call Docket No. 14-0429, Kermit Williams versus
10 Peoples Gas Light and Coke Company. This matter
11 concerns a complaint as to billing, slash, charges in
12 Chicago, Illinois.
13 Will the parties please enter their
14 appearances for the record. Include your name, your
15 address and your telephone number.
16 MR. KERMIT WILLIAMS: Starting with the
17 respondent first or...
18 JUDGE TEAGUE KINGSLEY: You can start.
19 MR. KERMIT WILLIAMS: My name is Kermit
20 Williams. I'm pro se and the case -- my address is
21 9923 South State Street, Chicago, Illinois 60628.
22 Phone number where I could be contacted

1 (224) 203-6654. My e-mail address is
2 KermitwilliamsIM@Life.com.

3 MR. BAILEY: Koby Bailey on behalf of the
4 Peoples Gas Light and Coke Company. 200 East
5 Randolph, Chicago, Illinois. Phone number
6 (312) 240-4081.

7 JUDGE TEAGUE KINGSLEY: Thank you. And at the
8 last status hearing, I explained the process, you
9 know what we're going to do today. I hope you
10 remember, Mr. Williams --

11 MR. KERMIT WILLIAMS: Yeah, I was reading in
12 the book.

13 JUDGE TEAGUE KINGSLEY: Oh, okay.

14 -- how we have the trial and then
15 after today, I will issue a Proposed Order which is
16 like a recommended decision. It will be mailed to
17 both parties and you'll have another opportunity to
18 file Briefs on Exceptions and Reply Briefs on
19 Exceptions and then I will file -- submit a Final
20 Order to the Commission and the Commission makes the
21 ultimate decision, just so you know how the process
22 works after today.

1 Next, what I want to do is have you
2 each just present a very short opening statement.
3 Just like in a couple of sentences tell me, you know,
4 maybe what your complaint is about and what you'd
5 like the Commission to do about it, very brief and
6 then you will testify, but just for now very brief.

7 MR. KERMIT WILLIAMS: I can't -- I don't know
8 if I can do it brief because I had written it out.

9 JUDGE TEAGUE KINGSLEY: Oh, okay.

10 MR. KERMIT WILLIAMS: I'll just present my case
11 because the complaint is related to an incorrect
12 billing -- should I stand up or is it okay if I sit
13 down?

14 JUDGE TEAGUE KINGSLEY: Oh, you can sit down.

15 MR. KERMIT WILLIAMS: The complaint is related
16 to an incorrect billings (sic), the cited context and
17 my timely filed petitioner -- petition, agreements,
18 formal complaint and brief, informal complaint No.
19 2013-14892 against utility of record, People Gas
20 Natural Gas Delivery Light and Coke Company (sic),
21 pursuant to the cited grounds. They are seven pages
22 in length addressed -- the name here, respondent,

1 actions of fraud, criminal acts, violations,
2 deceptive business practices and methods, with the
3 nonexistent of having a good credibility relationship
4 with their customers and clients and in providing
5 services as governed by the applicable laws we
6 respect to the jurisdiction of powers and grounds
7 cited context therein, my filed complaint.

8 JUDGE TEAGUE KINGSLEY: Oh, okay.

9 MR. KERMIT WILLIAMS: Because -- I'm not
10 finished.

11 JUDGE TEAGUE KINGSLEY: Well --

12 MR. KERMIT WILLIAMS: Peoples Gas --

13 JUDGE TEAGUE KINGSLEY: Mr. Williams, I'm going
14 to let you do -- like actually testify, but I just
15 wanted like a brief statement, which you've done.
16 You've given me a really brief statement. So after
17 they give their opening statement, then you'll
18 testify and you'll be able to talk longer. Okay?

19 MR. KERMIT WILLIAMS: All right.

20 MR. BAILEY: Your Honor, there are two central
21 issues to this case. One issue relates to the
22 billing and the disconnection of service and the

1 transfers of balances into the account.

2 The other relates to the
3 Commission-approved tariffs and rules --
4 administrative rules of the Company. In the first --
5 in the case in chief, as to the billing -- billing
6 there is a -- there was -- there were no payments
7 made by complainant during the course of the billing.
8 There was a LIHEAP payment made on his behalf. There
9 was a transfer payment from a previous account at the
10 that address which the Company will be waiving. No
11 payment -- further payments were made, disconnection
12 was proper and noticed up.

13 And as to the second component
14 relating to the actual bill calculations, our expert
15 will testify as to why we are required to address
16 those certain calculations.

17 JUDGE TEAGUE KINGSLEY: Okay. Thank you.

18 Okay. So, Mr. Williams, we're going
19 to start with you first with your direct testimony.
20 Will you raise your right hand.

21 (Witness sworn.)

22 JUDGE TEAGUE KINGSLEY: So tell me about your

1 complaint. It looks like you had a statement you
2 wanted to read or...

3 MR. KERMIT WILLIAMS: Yes. I still want to
4 finish my opening statement.

5 JUDGE TEAGUE KINGSLEY: Sure. Can you speak a
6 little bit louder so our court reporter can hear you?

7 MR. KERMIT WILLIAMS: Yes. Because of Peoples
8 Gas Natural Gas Delivery Light and Coca-Cola's (sic)
9 deceptive business practice manifests fraud,
10 racketeering corporate organization in the form of
11 incorrect balances on account statements; how the
12 criminal acts are done: Undocumentation (sic) and
13 the physical distribution of the gas services on
14 multiple accounts of the same crimes and multiple
15 counts of the crimes --

16 MR. BAILEY: Your Honor, I object. It is not
17 the Illinois Commerce Commission's -- within the
18 Illinois Commerce Commission's authority to address
19 fraud in criminal complaints.

20 JUDGE TEAGUE KINGSLEY: That's true.

21 MR. KERMIT WILLIAMS: I'm not saying -- I
22 say -- I already said, as governed by the applicable

1 laws with respect to jurisdiction of powers and
2 grounds.

3 JUDGE TEAGUE KINGSLEY: Let's do this, the
4 objection is --

5 MR. KERMIT WILLIAMS: Because --

6 JUDGE TEAGUE KINGSLEY: -- the objection is
7 sustained.

8 Let's do this -- and make it very
9 simple. Tell me about your complaint. I think in
10 the status hearing you -- we talked a little bit
11 about it.

12 So is your first -- it looks like you
13 have maybe, like, four things that, you know, that
14 you're complaining about. The first being that
15 Peoples Gas incorrectly transferred \$609 from one
16 account to another; is that one of your first
17 complaints?

18 MR. KERMIT WILLIAMS: Okay. If we go to the
19 points of authorities in my brief and formal
20 complaint on Page 4 you are speaking of?

21 MR. BAILEY: Your Honor?

22 MR. KERMIT WILLIAMS: I don't know what you are

1 referring to.

2 JUDGE TEAGUE KINGSLEY: I'm just trying to
3 assess what your complaint is so we can go through it
4 today.

5 What were you going to say?

6 MR. KERMIT WILLIAMS: It's a -- multiple
7 things.

8 JUDGE TEAGUE KINGSLEY: Okay. One second.

9 MR. KERMIT WILLIAMS: That's all I'm trying to
10 say.

11 MR. BAILEY: Your Honor, we went through a very
12 long process --

13 JUDGE TEAGUE KINGSLEY: Yeah, we did.

14 MR. BAILEY: -- at the last status hearing to
15 discuss and narrow the issues to actually provide
16 some clarity as to what Mr. Williams' concerns are.
17 Those responses to his concerns are indicated in the
18 answer. There was no reply given to our answer. So
19 based on the transcript, it's my understanding that
20 the issues in the answer are the issues to be
21 discussed today.

22 JUDGE TEAGUE KINGSLEY: And you are correct --

1 MR. KERMIT WILLIAMS: I object. And I object.

2 JUDGE TEAGUE KINGSLEY: Mr. Williams --

3 MR. KERMIT WILLIAMS: That's not the -- that's

4 not the issue.

5 JUDGE TEAGUE KINGSLEY: Mr. Williams --

6 MR. KERMIT WILLIAMS: Yes.

7 JUDGE TEAGUE KINGSLEY: -- today, we're going

8 to discuss those issues. As he mentioned during the

9 last status hearing, as I initially started saying,

10 those were the issues -- once we talked to you, you

11 know, when I talked -- spoke with you -- I was trying

12 to figure out what your complaint is about and we

13 got, basically, like four that you said you were

14 concerned about --

15 MR. KERMIT WILLIAMS: No. No. No. No.

16 JUDGE TEAGUE KINGSLEY: -- and those are the

17 issues.

18 MR. KERMIT WILLIAMS: No.

19 JUDGE TEAGUE KINGSLEY: The things you were

20 just mentioning a few minutes ago, those aren't

21 things that the Commission has authority over.

22 MR. KERMIT WILLIAMS: Okay. But to go back

1 from -- our last meeting, that was scheduled for a
2 prehearing.

3 JUDGE TEAGUE KINGSLEY: I'm aware of that.

4 MR. KERMIT WILLIAMS: A prehearing and a
5 hearing are two different things and according to
6 the -- 200 of this here -- booklet here, you was
7 briefing my brief.

8 JUDGE TEAGUE KINGSLEY: No, sir, I wasn't.

9 MR. KERMIT WILLIAMS: And you -- we wasn't
10 going over --

11 JUDGE TEAGUE KINGSLEY: Mr. Williams --

12 MR. KERMIT WILLIAMS: -- we wasn't going
13 over --

14 JUDGE TEAGUE KINGSLEY: -- for us to proceed
15 properly, you have to listen to me.

16 MR. KERMIT WILLIAMS: I hear you.

17 JUDGE TEAGUE KINGSLEY: And what I'm telling
18 you is that a prehearing conference, one of the
19 things we do is to try to narrow down the issues as
20 Mr. Bailey just mentioned. So after we -- you had
21 quite some time to let me know what exactly your
22 complaint was about --

1 MR. KERMIT WILLIAMS: I filed my --

2 JUDGE TEAGUE KINGSLEY: -- and once we --

3 MR. KERMIT WILLIAMS: I filed my complaint.

4 JUDGE TEAGUE KINGSLEY: Mr. Williams, are you

5 complaining, yes or no, that Peoples Gas incorrectly

6 transferred money from one account to another? Is

7 that one of your concerns?

8 MR. KERMIT WILLIAMS: On Page 4 on my -- under

9 the powers and authorities --

10 JUDGE TEAGUE KINGSLEY: No, I'm --

11 MR. KERMIT WILLIAMS: -- yes.

12 JUDGE TEAGUE KINGSLEY: -- asking, is that one

13 of your concerns?

14 MR. KERMIT WILLIAMS: Yes.

15 JUDGE TEAGUE KINGSLEY: Do you want to tell me

16 about that or have evidence related to that issue?

17 MR. KERMIT WILLIAMS: Yes. Let's go to No. 3

18 related to incorrect billings on account and

19 reference the other count, unlawful transaction

20 between account ending with 4365 and account ending

21 with 4693 on billing date 12/3/2013 statement for

22 account ending with the last four digits 4365 and I

1 have provided that with you and it shows clearly in
2 the record that a transaction -- transfer was made in
3 the amount of \$602.69 and they reference the LIHEAP
4 payment program as being \$509 received and they
5 deducted the first installment for the deposit
6 because after they find out I was a recipient of the
7 LIHEAP Program, a deposit, it's not required and
8 that's we was speaking of about that.

9 JUDGE TEAGUE KINGSLEY: For your exhibit?

10 MR. KERMIT WILLIAMS: Right. An exhibit and
11 that's what that was because I was showing him
12 that -- well, the respondent that I had filed for the
13 program and at that time it was still pending; but by
14 the time this statement came out, that's what took
15 place and they did the right thing as far as
16 deducting the \$52 off because they was informed that
17 I was under that program.

18 JUDGE TEAGUE KINGSLEY: Okay. So just to be
19 clear, your complaint, Exhibit 2, which you've marked
20 and you've referenced that -- before we got on the
21 record all the exhibits were marked and this exhibit,
22 you are purporting that you mailed this letting them

1 know you were in the program so that's what this
2 exhibit --

3 MR. KERMIT WILLIAMS: Right.

4 JUDGE TEAGUE KINGSLEY: Okay. All right. You
5 can continue.

6 MR. KERMIT WILLIAMS: So that's one issue, but
7 it moves on to the next line where it says -- the
8 issue of People Gas transferred the balance on the
9 account ending with 4693 into account ending with
10 4365 in the amount of -- I have it written wrong, it
11 should be \$600 -- \$602.69 as stated, but I have
12 \$609.69, that should be amended to be consistent with
13 the record.

14 JUDGE TEAGUE KINGSLEY: Okay.

15 MR. KERMIT WILLIAMS: And -- which was --
16 that's what I had stated earlier and then what they
17 had done, they stated that between the 19 days when
18 they cut it on -- cut me -- you know, started my
19 service to receive my gas in November of '14, that a
20 certain amount -- bill was due, but that was never --
21 the \$500 of -- the \$509 that I received from the
22 LIHEAP Program was never taken the difference of what

1 they said I used and the bill of used gas.

2 JUDGE TEAGUE KINGSLEY: I don't --

3 MR. KERMIT WILLIAMS: On that -- okay. On

4 billing statement December 3rd, 2013, they saying I

5 owe -- amount due is \$200.68 -- I mean \$268.28. They

6 did not utilize the LIHEAP payment on the \$268.

7 JUDGE TEAGUE KINGSLEY: Okay. So you're

8 saying that they --

9 MR. KERMIT WILLIAMS: Outstanding --

10 JUDGE TEAGUE KINGSLEY: -- transferred your --

11 MR. KERMIT WILLIAMS: Right.

12 JUDGE TEAGUE KINGSLEY: -- \$500 --

13 MR. KERMIT WILLIAMS: And then --

14 JUDGE TEAGUE KINGSLEY: -- to your account; is

15 that what you're saying? I'm sorry.

16 MR. KERMIT WILLIAMS: We went over.

17 JUDGE TEAGUE KINGSLEY: Let's try to speak one

18 at a time.

19 I'm saying that you're saying that

20 Peoples Gas failed to transfer that \$509 LIHEAP grant

21 to your account? That's what your second complaint

22 is? Is that what you're referring to? It sounds

1 like it is.

2 MR. KERMIT WILLIAMS: Yes. But they playing
3 with numbers. It's not -- it's not transferred to my
4 account. It's on my statement. It's clearly --

5 JUDGE TEAGUE KINGSLEY: That's what I said.
6 They did not.

7 MR. KERMIT WILLIAMS: It's misleading. It's
8 misdirecting. What they did is they acknowledged
9 receipt and CEDA sent it to this account -- this is
10 the only account that it could have went to, but what
11 they did, they just acknowledged another account and
12 tried to consolidate two different accounts and then
13 they applied the grant money that was approved from
14 my account to the other account, which they really
15 are trying to say they applied it to this account but
16 really they didn't.

17 JUDGE TEAGUE KINGSLEY: Which account was that
18 one? You said they applied it to another account?

19 MR. KERMIT WILLIAMS: The account ending --

20 JUDGE TEAGUE KINGSLEY: Was it your account or
21 someone else's?

22 MR. KERMIT WILLIAMS: Someone else's account.

1 The account ending with the last four digits 4693.

2 JUDGE TEAGUE KINGSLEY: Okay. And --

3 MR. KERMIT WILLIAMS: But there's more. But

4 due to the fact that the money that they transferred

5 from that account was more than what the LIHEAP

6 Program payment was giving me, it left a different

7 balance of \$93.69. So now they still adding this

8 other money from a different account to the \$200 and

9 68 -- \$268.28 which-- it's still in that balance

10 which it shouldn't be.

11 JUDGE TEAGUE KINGSLEY: Okay.

12 MR. KERMIT WILLIAMS: Secondly, they

13 mathematical -- they state that the gas charge for

14 December is 44.37 cents per therm. When you look at

15 the charges that they charge, they didn't -- they

16 don't charge you the per therm.

17 MR. BAILEY: Your Honor --

18 JUDGE TEAGUE KINGSLEY: Wait.

19 MR. KERMIT WILLIAMS: That's still on the same

20 statement. That's what I'm saying.

21 JUDGE TEAGUE KINGSLEY: No, but for -- so we

22 have structure, Mr. Williams, we're just going

1 through each one of your complaints. So the second
2 complaint we are talking about is you would -- you
3 did a very good explanation of -- you were discussing
4 the fact that you believe Peoples Gas did not
5 transfer your LIHEAP money to the proper account, so
6 that's -- that we've just discussed.

7 Now, the next complaint or issue that
8 you noted during our status hearing -- our last
9 status hearing, was that Peoples Gas has improperly
10 billed you a total of \$1,808.10 because they
11 improperly converted your recorded meter usage to
12 therms? Is that --

13 MR. KERMIT WILLIAMS: It's a multiple of
14 things.

15 JUDGE TEAGUE KINGSLEY: I know. But we've sort
16 of narrowed down --

17 MR. KERMIT WILLIAMS: That's what I'm saying --

18 JUDGE TEAGUE KINGSLEY: -- the issues.

19 MR. KERMIT WILLIAMS: -- you can't.

20 JUDGE TEAGUE KINGSLEY: I can, sir. I can. So
21 that's what we're going to do. We've narrowed down
22 the issues and so today, we're going to discuss each

1 issue and present your arguments and your -- I mean
2 your testimony and your evidence regarding those
3 issues.

4 Let me go through the ones I have
5 written down -- the rest of them. 3 was that Peoples
6 Gas allegedly billed you a total of \$1,888.10 because
7 they improperly converted your recorded meter usage
8 to therms.

9 And then that Peoples Gas improperly
10 billed you that same amount and they did not apply
11 the proper pressure to the gas delivered; and that
12 they improperly disconnected your service. Okay?
13 Those are the three remaining subparts to your
14 complaint that you mentioned during our last status
15 hearing and we've narrowed it down to these.

16 So for the third one that I mentioned,
17 you want to tell me about that one, about the --
18 improperly converting recorded meter usage to therms?
19 Do you remember talking about that?

20 MR. KERMIT WILLIAMS: Yes. That's called like
21 tampering with information and in their definition
22 that they have --

1 MR. BAILEY: Your Honor, I'm going to object to
2 the characterization.

3 MR. KERMIT WILLIAMS: Wait a minute. You just
4 asked me to explain so how can I --

5 MR. BAILEY: Your Honor, the word "tampering"
6 was indicated. Under Part 280, there is a specific
7 indication --

8 MR. KERMIT WILLIAMS: It is?

9 MR. BAILEY: -- what constitutes tampering.

10 JUDGE TEAGUE KINGSLEY: I agree.

11 MR. BAILEY: I object to the word.

12 JUDGE TEAGUE KINGSLEY: Just can you word it
13 differently?

14 MR. KERMIT WILLIAMS: Okay. They change --
15 they manipulate -- okay. Put it this way (sic):
16 Each month they send someone out to look at a meter.
17 Now, the meter could be read correctly or it could be
18 read incorrectly, but if they say --

19 JUDGE TEAGUE KINGSLEY: Wait.

20 MR. KERMIT WILLIAMS: -- the previous actual --

21 JUDGE TEAGUE KINGSLEY: Wait.

22 MR. KERMIT WILLIAMS: -- meter reading is --

1 JUDGE TEAGUE KINGSLEY: Mr. Williams?

2 MR. KERMIT WILLIAMS: Yes.

3 JUDGE TEAGUE KINGSLEY: You said it could be
4 read correctly or incorrectly, so --

5 MR. KERMIT WILLIAMS: Yeah.

6 JUDGE TEAGUE KINGSLEY: -- are you challenging
7 how the meter is read? Like what exactly do you mean
8 by that? This -- I just want you to tell me about
9 this issue. Like what -- what do you think that
10 Peoples has done to you?

11 MR. KERMIT WILLIAMS: Okay. They use -- and
12 this is simple arithmetic. They took some numbers
13 off of -- from the last reading, the last reading
14 what they have previous actual. They say previous
15 actual is 2350, then when -- by the time -- when my
16 gas was cut on (sic), on the cut-on date on November
17 14th, and 19 days of service used, they said that the
18 meter number changed from 2350 to 2496.

19 Now, what they call the 2350 is
20 they -- they identified it as previous actual. What
21 they identified the 2496 as current actual. Now, in
22 mathematics, they use subtraction to find out how

1 much gas was used. In their documentation, they
2 tariff listing, they identify it as a difference, but
3 if you go on -- it could only be a different actual;
4 but they don't call it a different actual because
5 they plan on manipulating that difference.

6 JUDGE TEAGUE KINGSLEY: What's your basis --

7 MR. KERMIT WILLIAMS: And they -- they --

8 JUDGE TEAGUE KINGSLEY: Mr. Williams, why --
9 what evidence do you have that they have
10 manipulated --

11 MR. KERMIT WILLIAMS: It's on the statement on
12 their tariffs listing.

13 JUDGE TEAGUE KINGSLEY: So you think their
14 tariffs are saying that they are manipulating their
15 calculation? Is that what you're saying?

16 MR. KERMIT WILLIAMS: Correct.

17 JUDGE TEAGUE KINGSLEY: Okay.

18 MR. KERMIT WILLIAMS: Correct. And they take
19 what they refer to as a difference and apply it to
20 what they refer to as a therm conversion and this is
21 when they use some factor that they referred to as a
22 BTU factor, but in they definition, they do not show

1 the equation that they using to justify that factor
2 quotion (sic) or product because I don't -- and
3 that's not a BTU -- they not using they BTU equation,
4 they just grabbing numbers out of the air --

5 JUDGE TEAGUE KINGSLEY: What's your basis for
6 that?

7 MR. KERMIT WILLIAMS: -- and --

8 JUDGE TEAGUE KINGSLEY: Did you hear me,
9 Mr. Williams? Like why are you saying that?

10 MR. KERMIT WILLIAMS: Because I've done
11 research.

12 JUDGE TEAGUE KINGSLEY: Okay. Just --

13 MR. KERMIT WILLIAMS: Based on -- based on they
14 definition, the only purpose for this thermal
15 conversion is to -- if we go to the definition, they
16 have it on they -- on the back of each statement that
17 they send out. It says, BTU factor, British Thermal
18 Unit, a factor used to convert -- see, that's
19 manipulating -- measured gas volume into heated
20 volume of the gas; but they don't show the equation
21 that they use to establish that factor value of
22 1.0117 on the December 3rd, 2013 statement --

1 JUDGE TEAGUE KINGSLEY: Okay. So --

2 MR. KERMIT WILLIAMS: -- or on any other

3 statement.

4 JUDGE TEAGUE KINGSLEY: Okay. So you're --

5 MR. KERMIT WILLIAMS: They just use -- when you

6 compare each statement, you going to see that BTU

7 factor change, it going to increase. Based on the

8 research it don't change like that --

9 MR. BAILEY: Your Honor.

10 JUDGE TEAGUE KINGSLEY: Okay. So --

11 MR. KERMIT WILLIAMS: And that's why I'm

12 saying --

13 JUDGE TEAGUE KINGSLEY: Mr. Williams, one

14 second.

15 MR. KERMIT WILLIAMS: -- they manipulating the

16 information and data.

17 JUDGE TEAGUE KINGSLEY: One second.

18 MR. BAILEY: Your Honor, I'll object to this as

19 hearsay evidence. There is no research -- I haven't

20 seen any research, it's not been presented into

21 evidence.

22 JUDGE TEAGUE KINGSLEY: The objection is

1 sustained.

2 You haven't presented anything to

3 support --

4 MR. KERMIT WILLIAMS: What I'm saying is --

5 okay. Let's say they using this factor. Now, how

6 can -- I'm going to stick to the December 13th --

7 JUDGE TEAGUE KINGSLEY: Mr. Williams, I

8 think --

9 MR. KERMIT WILLIAMS: This is for clarity --

10 JUDGE TEAGUE KINGSLEY: Mr. Williams --

11 MR. KERMIT WILLIAMS: -- because one -- how can

12 146 become 148 by 48 therms and when you -- it's

13 supposed to be a therm conversion, not therms.

14 JUDGE TEAGUE KINGSLEY: Okay.

15 MR. KERMIT WILLIAMS: They playing with the

16 terms --

17 JUDGE TEAGUE KINGSLEY: Okay.

18 MR. KERMIT WILLIAMS: -- terminology of

19 "therms."

20 JUDGE TEAGUE KINGSLEY: Mr. Williams, if I

21 understand you correctly, your third allegation is

22 that you take issue with how they calculate usage

1 that you think they should -- they're not properly
2 reflecting the equation that they use to --

3 MR. KERMIT WILLIAMS: He said something as an
4 answer -- as a justification as to the criminal act
5 that they doing.

6 JUDGE TEAGUE KINGSLEY: No, there's no --
7 nothing --

8 MR. BAILEY: Your Honor.

9 JUDGE TEAGUE KINGSLEY: Mr. Williams, I'm just
10 trying to summarize really quickly what your
11 testimony is.

12 MR. KERMIT WILLIAMS: I thought we did that
13 last time. That's what I'm saying, it was --

14 JUDGE TEAGUE KINGSLEY: Mr. Williams, let me
15 explain to you. Last time -- what we did was we
16 narrowed down the issues; right? And so today, you
17 are giving me testimony regarding each issue or
18 allegation that you have. So you've just testified
19 about that allegation and you gave an example of what
20 you mean. Now, let's move on to your next
21 allegation. Okay?

22 From the last hearing, you said that

1 one of your allegations or complaints is that Peoples
2 Gas has improperly billed you by not applying the
3 proper pressure to the gas delivered to your
4 premises? You want to tell me about that?

5 MR. KERMIT WILLIAMS: Yes. I want to ask a
6 question first, if I may. You brought up the most
7 current billing -- the last billing of 1888 --

8 JUDGE TEAGUE KINGSLEY: You said I brought that
9 up?

10 MR. KERMIT WILLIAMS: Yeah. You brought that
11 up -- \$1,888.10 -- I want to ask -- to establish --
12 are they saying I use this in one-month term or over
13 a period of time?

14 JUDGE TEAGUE KINGSLEY: I thought -- this is
15 your complaint that you're saying that --

16 MR. KERMIT WILLIAMS: Right.

17 JUDGE TEAGUE KINGSLEY: -- that's your total --

18 MR. KERMIT WILLIAMS: Yeah. Yeah. You said I
19 was disputing the amount and you gave that figure.
20 Now, are you saying that's what was established in
21 one month or one week or one day or --

22 JUDGE TEAGUE KINGSLEY: I'm not saying --

1 MR. KERMIT WILLIAMS: -- over a period of time?

2 JUDGE TEAGUE KINGSLEY: Mr. Williams, I'm not

3 saying anything. Your bills say -- the bills that

4 you gave me, they say that -- this last one you gave

5 me dated September of 2014, it says your total

6 balance is \$1,888. So -- and I believe during the

7 last hearing, that was what was mentioned, that that

8 is your -- the amount of your bill, you don't believe

9 you owe any of this amount. So that's how that

10 amount was derived.

11 MR. KERMIT WILLIAMS: Correct. I'm disputing

12 that bill amount.

13 JUDGE TEAGUE KINGSLEY: Right. Okay.

14 MR. KERMIT WILLIAMS: But what I'm asking is,

15 are you interpreting that bill amount as being

16 established in one month, one day or over a period of

17 time --

18 JUDGE TEAGUE KINGSLEY: Mr. Williams, this is

19 your complaint.

20 MR. KERMIT WILLIAMS: -- because it makes a

21 difference.

22 JUDGE TEAGUE KINGSLEY: Mr. Williams.

1 MR. KERMIT WILLIAMS: It makes a difference
2 how --

3 JUDGE TEAGUE KINGSLEY: Let me cut you off.

4 MR. KERMIT WILLIAMS: That's my point.

5 JUDGE TEAGUE KINGSLEY: Let me cut you off.
6 You are presenting your complaint to me. Okay? I'm
7 not testifying.

8 MR. KERMIT WILLIAMS: No, anytime you -- I try
9 to present --

10 JUDGE TEAGUE KINGSLEY: Let me --

11 MR. KERMIT WILLIAMS: -- he objects.

12 JUDGE TEAGUE KINGSLEY: Mr. Williams, please
13 let me continue to speak. The only way we can
14 proceed today is that we have decorum. Okay?

15 So -- and the bills that you gave me,
16 they increase each month, right? So the inference is
17 that these bills are increasing. Okay? So let's not
18 get --

19 MR. KERMIT WILLIAMS: That's it.

20 JUDGE TEAGUE KINGSLEY: We've established that
21 you said in the last status hearing that you object
22 to the amount that you've been billed and the amount

1 that you have been billed is 1,880 or something like
2 that. So let's just go on to your actual complaint.

3 You said that one of your complaints
4 was that you don't think there's proper pressure. Do
5 you want to tell me about that or present any
6 evidence regarding that allegation?

7 MR. KERMIT WILLIAMS: Yes. Based on they own
8 definition as to -- an acknowledgement as they say
9 they using engineering method, that doesn't change
10 the false information. A bank robber could use
11 computer, a thief could still use high tech to engage
12 in criminal activity, that's not justification what
13 you're referring to as an answer to better execute
14 whatever they plan on doing, it doesn't change the
15 wrong behind the act.

16 JUDGE TEAGUE KINGSLEY: Okay.

17 MR. KERMIT WILLIAMS: That's all I'm saying.

18 JUDGE TEAGUE KINGSLEY: Do you have any
19 evidence today to present to me that they are --

20 MR. KERMIT WILLIAMS: Yes.

21 JUDGE TEAGUE KINGSLEY: -- applying improper
22 pressure?

1 MR. KERMIT WILLIAMS: By their definition, it
2 clearly states pressure correction factor, a factor
3 used to compute the quantity of gas when it is
4 delivered for higher than normal pressure.

5 JUDGE TEAGUE KINGSLEY: Which definition are
6 you looking at, Mr. Williams?

7 MR. KERMIT WILLIAMS: Pressure correction
8 factor.

9 JUDGE TEAGUE KINGSLEY: Okay.

10 MR. KERMIT WILLIAMS: Under "Usage."

11 JUDGE TEAGUE KINGSLEY: Okay.

12 MR. KERMIT WILLIAMS: Now, if you -- which they
13 are already saying that they setting the pressure
14 whereas -- higher than the normal pressure, whatever
15 normal is -- they don't say what norm is -- but they
16 saying it's higher than normal pressure, they telling
17 you, which means you going to get abnormal reading --

18 JUDGE TEAGUE KINGSLEY: Okay. So your
19 evidence --

20 MR. KERMIT WILLIAMS: -- based on their own
21 definition.

22 JUDGE TEAGUE KINGSLEY: So your evidence today

1 is that -- is they're not applying the proper
2 pressure, the definition that they have?

3 MR. KERMIT WILLIAMS: They manipulating the
4 pressure, correct.

5 JUDGE TEAGUE KINGSLEY: So you're saying they
6 are manipulating the pressure and your evidence today
7 to --

8 MR. KERMIT WILLIAM: Is that --

9 JUDGE TEAGUE KINGSLEY: -- support your
10 allegation -- please let me finish my sentence -- to
11 support your allegation is that the definition in and
12 of itself shows that they're not properly
13 delivering --

14 MR. KERMIT WILLIAMS: Right.

15 JUDGE TEAGUE KINGSLEY: Okay. All right.

16 And then your last allegation that we
17 discussed on the last status hearing was that Peoples
18 has improperly disconnected your service.

19 Can you tell me a little bit about
20 that?

21 MR. KERMIT WILLIAMS: Yes. Because that go
22 back to me -- to my exhibits. I'm constantly

1 communicating with them to try to resolve the issue
2 but they, in return, violate the good faith that I
3 had --

4 MR. BAILEY: Objection to the characterization.

5 MR. KERMIT WILLIAMS: No. That's under the
6 applicable law of your -- how you operate under
7 utilities.

8 JUDGE TEAGUE KINGSLEY: I'm going to overrule.
9 That's his opinion of what happened. Okay. So let's
10 just add a little bit of structure and clarity. So
11 before we went on the record, you presented me with a
12 group of bills; correct, Mr. Williams? Mr. Williams?

13 MR. KERMIT WILLIAMS: Yes. Service obligations
14 and conditions.

15 JUDGE TEAGUE KINGSLEY: Mr. Williams, I'm
16 speaking to you. So you presented these group of
17 bills to me which have been marked as Complainant
18 Group Exhibit 1 and you're saying that these bills
19 are what you use to communicate with them and that
20 you were trying to resolve -- you mentioned that you
21 were trying to resolve this issue with them?

22 MR. KERMIT WILLIAMS: Right. Prior to coming

1 here today.

2 JUDGE TEAGUE KINGSLEY: Right. And you
3 referenced these exhibits, so I'm trying to find out
4 what do you mean.

5 MR. KERMIT WILLIAMS: I was communicating,
6 showing them hand on hand, rather than over the phone
7 or trying to communicate -- showing them by -- what
8 they presented, they hard copies, documentation where
9 the problem lies and why I feel that this is wrong
10 and could -- I'm very good at mathematics. That was
11 my major --

12 JUDGE TEAGUE KINGSLEY: So why do you think
13 they were -- they improperly -- I just need you to
14 tell me about this improperly disconnected service.

15 MR. KERMIT WILLIAMS: Okay.

16 JUDGE TEAGUE KINGSLEY: Is your -- is your
17 testimony that you were trying to communicate with
18 them about this bill and you don't think they were
19 communicating with you and so they disconnected your
20 service, like, what does this have to do with your
21 allegation?

22 MR. KERMIT WILLIAMS: The money that they was

1 requesting for, I'm disputing that if -- they saying
2 that they was going to cut it off because --
3 JUDGE TEAGUE KINGSLEY: Mm-hmm.
4 MR. KERMIT WILLIAMS: -- no money was
5 received --
6 JUDGE TEAGUE KINGSLEY: Mm-hmm.
7 MR. KERMIT WILLIAMS: -- to pay what they said
8 I owe. One, they received \$509 on the grant that
9 they never applied to the account.
10 JUDGE TEAGUE KINGSLEY: Did you ever make
11 payments?
12 MR. KERMIT WILLIAMS: Of course. You -- the
13 payment -- I had to sign it.
14 JUDGE TEAGUE KINGSLEY: You have to walk me
15 through that, sir. You have to tell me, did you --
16 what did you pay and -- since you gave me this --
17 MR. KERMIT WILLIAMS: I thought we went over
18 that. I could say it again.
19 JUDGE TEAGUE KINGSLEY: No, we did not. So
20 that's why I'm mentioning it today. And you don't
21 have to go through each bill. If you just -- if you
22 have a -- you want to just let me -- tell me you paid

1 X amount on this.

2 MR. KERMIT WILLIAMS: But now we getting off
3 the subject of why I believe -- the service
4 disconnection part.

5 JUDGE TEAGUE KINGSLEY: Not really, but tell me
6 just --

7 MR. KERMIT WILLIAMS: Can I do the service
8 disconnection first?

9 JUDGE TEAGUE KINGSLEY: That's what I want you
10 to do. Is this all related to that? I'm just trying
11 to figure out what this has to do with your service
12 disconnection, but just tell me however you want.

13 MR. KERMIT WILLIAMS: Okay. In that -- in the
14 documentation that you have, you have -- in the
15 exhibit, I provided them a copy of the State Statute
16 called Public Aid, 305 Illinois Compiled Statute Act
17 51-1 which highlights a public purpose and it clearly
18 say -- I have this in my brief -- in my report filed,
19 I cited it.

20 JUDGE TEAGUE KINGSLEY: Is that your complaint
21 you keep referring to --

22 MR. KERMIT WILLIAMS: No, I'm saying --

1 JUDGE TEAGUE KINGSLEY: -- as your brief?

2 MR. KERMIT WILLIAMS: -- why I feel I shouldn't

3 have been disconnected.

4 JUDGE TEAGUE KINGSLEY: No. No. When you say

5 your briefs, are you referring to your complaint?

6 MR. KERMIT WILLIAMS: Yes.

7 JUDGE TEAGUE KINGSLEY: Okay.

8 MR. KERMIT WILLIAMS: The seven-page complaint.

9 JUDGE TEAGUE KINGSLEY: Okay. Can you just

10 testify as to why you think they have improperly

11 disconnected you?

12 MR. KERMIT WILLIAMS: This clearly say -- this

13 statute of law, they have to comply to services --

14 under Service and Obligations and Conditions, under

15 220-11, Illinois Compiled Statute Act 5, Article 1 --

16 JUDGE TEAGUE KINGSLEY: What are you referring

17 to, Mr. Williams? First you started talking about

18 this section that you included in your complaint --

19 MR. KERMIT WILLIAMS: Yes.

20 JUDGE TEAGUE KINGSLEY: -- in Exhibit 2, now

21 you are talking about something different.

22 MR. KERMIT WILLIAMS: Would you like me to read

1 it?

2 JUDGE TEAGUE KINGSLEY: I just want to know how
3 does it relate to this issue, just --

4 MR. KERMIT WILLIAMS: Because it says, In
5 providing financial aid and services. Services and
6 Obligations, still service. The purpose of this code
7 is to assist in the alleviation and prevention of
8 poverty and thereby, to protect and promote the
9 health and welfare of all the people of the state --
10 of this State. To accomplish this purpose, this code
11 authorized financial aid and social welfare services
12 for persons in need thereof by reason of
13 unemployment, illness or other cause depriving them
14 of the means of a livelihood compatible with health
15 and well-being and provide for the development, use
16 and coordination of all resources in this state.
17 This is a resource that -- utility is a resource.

18 MR. BAILEY: Objection.

19 MR. KERMIT WILLIAMS: It is.

20 JUDGE TEAGUE KINGSLEY: What's your basis?

21 MR. KERMIT WILLIAMS: It is.

22 JUDGE TEAGUE KINGSLEY: One second, we have to

1 each --

2 MR. BAILEY: It draws for a legal conclusion as
3 to what is a state asset.

4 JUDGE TEAGUE KINGSLEY: Sustained.

5 Can you just tell me, Mr. Williams,
6 what is your argument regarding being improperly
7 disconnected? Why do you think it was improper that
8 you were disconnected?

9 MR. KERMIT WILLIAMS: Because they was fully
10 aware of my position.

11 JUDGE TEAGUE KINGSLEY: So because -- wait, no.
12 Let me finish talking --

13 MR. KERMIT WILLIAMS: Okay.

14 JUDGE TEAGUE KINGSLEY: -- and then you talk.
15 We each talk one at a time.

16 MR. KERMIT WILLIAMS: Okay.

17 JUDGE TEAGUE KINGSLEY: And then we can
18 understand each other.

19 So are you testifying that they
20 improperly disconnected you because you're not in a
21 financial position to pay the bill? Is that why
22 you're referring to the statute? Like what is your

1 testimony?

2 MR. KERMIT WILLIAMS: No, that's not my
3 testimony.

4 JUDGE TEAGUE KINGSLEY: Well, you just said
5 they know your situation. What did you mean?

6 MR. KERMIT WILLIAMS: Correct. I didn't say --
7 you said I wasn't able to pay the bill.

8 JUDGE TEAGUE KINGSLEY: You did say -- no, no,
9 no, you said, they know your situation. So I'm just
10 trying to figure out what do you mean. When you said
11 they know your situation --

12 MR. KERMIT WILLIAMS: Just what the statute
13 states and what I provided them.

14 JUDGE TEAGUE KINGSLEY: No, you told me --

15 MR. KERMIT WILLIAMS: I informed them --

16 JUDGE TEAGUE KINGSLEY: -- what you mean.

17 MR. KERMIT WILLIAMS: -- the only thing I was
18 receiving was food stamps. I also informed them that
19 I was eligible to receive the LIHEAP Program and I
20 was -- CEDA sent that money to them because --

21 JUDGE TEAGUE KINGSLEY: Right.

22 MR. KERMIT WILLIAMS: -- I signed it.

1 JUDGE TEAGUE KINGSLEY: I understand that, sir.

2 MR. KERMIT WILLIAMS: Okay. Now, in this
3 statute it says, I could utilize all services
4 available to me. It's clearly stating that in this
5 lawsuit.

6 JUDGE TEAGUE KINGSLEY: But how does that
7 relate to you being disconnected because your bill
8 has not been paid?

9 MR. KERMIT WILLIAMS: Okay. On each statement
10 that you have on my exhibit, I write down, I'm
11 requesting for service because another statute or a
12 code in the law -- I don't -- I can't recall right
13 off my head -- it says make sure you inform them
14 that -- if you want the service that you inform them
15 well ahead of time before they cut it off. So I made
16 sure that they know I want to utilize the service
17 because it's part of a livelihood.

18 Now, they sent out statements saying
19 that -- we sending you this notice about
20 disconnections and well-being and health way before
21 November because they planned on disconnecting me on
22 April 1st anyway. They sent something out in

1 November because gas, by law, supposed to be on,
2 regardless of whether you could pay it or not, by
3 November 1st through April 1st and it has nothing to
4 do if you could pay it or not, it's just a criteria
5 what is consistent with this statute here, which I
6 was reading --

7 MR. BAILEY: Your Honor.

8 MR. KERMIT WILLIAMS: -- now --

9 JUDGE TEAGUE KINGSLEY: I think there is an
10 objection.

11 MR. BAILEY: Your Honor, I object. I'm sorry.

12 JUDGE TEAGUE KINGSLEY: What's your basis?

13 MR. BAILEY: The basis of this is the winter
14 moratorium rules establish that there are no cutoffs
15 during the November 1st, subject to check, the
16 March 1st or April 1st time period. Service that is
17 actually currently off, there is no obligation other
18 than that exists within Part 281.38, subject to
19 check, regarding how that service needs to be
20 restored.

21 JUDGE TEAGUE KINGSLEY: Okay. Then I --

22 MR. KERMIT WILLIAMS: But if I was receiving

1 the service and I was -- each month I'm showing you
2 right on -- right here I put --

3 JUDGE TEAGUE KINGSLEY: Mr. Williams --

4 MR. KERMIT WILLIAMS: -- in the --

5 JUDGE TEAGUE KINGSLEY: -- is your -- I guess
6 I'm just trying to understand what your point is.
7 So --

8 MR. KERMIT WILLIAMS: My point is that they
9 shouldn't have cut it off in the first place, that's
10 another way where they could justify charging you a
11 cut-on fee.

12 JUDGE TEAGUE KINGSLEY: So it should not have
13 been cut off? Why?

14 MR. KERMIT WILLIAMS: Per the established laws,
15 applicable laws.

16 JUDGE TEAGUE KINGSLEY: What law? Why? Why?
17 Because...

18 MR. KERMIT WILLIAMS: He just also stated that
19 it's a health issue.

20 MR. BAILEY: Your Honor?

21 JUDGE TEAGUE KINGSLEY: I don't think he said
22 that.

1 MR. BAILEY: I didn't say it was a health
2 issue.

3 JUDGE TEAGUE KINGSLEY: He didn't say that,
4 sir. I just want you -- Mr. Williams, I just want
5 you to -- to be able --

6 MR. KERMIT WILLIAMS: Also --

7 JUDGE TEAGUE KINGSLEY: -- to help you, I just
8 need you to testify and tell me what your all- -- you
9 know, what your allegations are, what your complaints
10 are and give me evidence of --

11 MR. KERMIT WILLIAMS: I gave you evidence.

12 JUDGE TEAGUE KINGSLEY: -- the issues.

13 MR. KERMIT WILLIAMS: I cited the statute.

14 JUDGE TEAGUE KINGSLEY: So --

15 MR. KERMIT WILLIAMS: It's in there and due to
16 the fact, we established by they definition of --
17 based on pressure, that they manipulating the
18 pressure which is going to cause abnormal readings --

19 JUDGE TEAGUE KINGSLEY: Right.

20 MR. KERMIT WILLIAMS: -- which means you are
21 going to get abnormal causes and charges.

22 JUDGE TEAGUE KINGSLEY: Exactly, Mr. Williams.

1 You testified about --

2 MR. KERMIT WILLIAMS: So, therefore, in they
3 minds -- in they mindset, they don't think -- since
4 we got on our records he owe X amount of dollars at
5 this point of no -- you know, no kind of payment or
6 being done, we've got a right to cut it off. You see
7 that's -- they --

8 JUDGE TEAGUE KINGSLEY: So let me ask you,
9 Mr. Williams --

10 MR. KERMIT WILLIAMS: -- deceiving themselves.

11 JUDGE TEAGUE KINGSLEY: -- do you think -- can
12 you tell me with respect to your -- this last
13 allegation that we're talking about, the improper
14 disconnection, is your position that your service
15 should not have been cut off even though you had not
16 paid the balance? Is that what you're arguing?

17 MR. KERMIT WILLIAMS: I don't owe that balance.
18 That's my point.

19 JUDGE TEAGUE KINGSLEY: Okay. So you're
20 saying --

21 MR. KERMIT WILLIAMS: It's an incorrect
22 balance.

1 JUDGE TEAGUE KINGSLEY: -- you don't --
2 MR. KERMIT WILLIAMS: Right.
3 JUDGE TEAGUE KINGSLEY: -- owe any of that?
4 Okay. And that's why -- okay. That was the -- what
5 I was trying to assess from you initially.
6 Okay. All right. So next does
7 Peoples have any cross for --
8 MR. BAILEY: Yes, they do, your Honor.
9 JUDGE TEAGUE KINGSLEY: Okay.
10 CROSS-EXAMINATION
11 BY
12 MR. BAILEY:
13 Q Mr. Williams, I'm going to ask you a series
14 of questions.
15 A Sure.
16 Q If you don't understand, please stop me.
17 If you need to me to slow down, please
18 let me know.
19 All right. On approximately what date
20 did you establish service with Peoples Gas for the
21 account ending in 4365?
22 A I spoke with a representative from your, I

1 guess, Administrative Office on August 30th, 2013.

2 Q And what date was the -- the account number
3 established in your name?

4 A On that very same day.

5 Q And when did you receive your first invoice
6 from the Peoples Gas -- or bill?

7 A Well, the first one was in part the first
8 installment of the deposit.

9 Q And that date was roughly?

10 A Like November 1st, somewhere up in there.

11 Q Okay.

12 A One minute. I can get it for you.

13 Q Okay. Take your time.

14 A It was before November 6th because that's
15 when I mailed it back to you with information about
16 my current position and the LIHEAP application was
17 filed, but it hadn't yet been finalized and approved
18 yet; but I was just informing you of my position.

19 Q Okay. Very good. Thank you.

20 Let's talk a little bit about the
21 balance transfer from the account ending in 4693.
22 When you communicated with Peoples Gas, did you

1 indicate that you wanted to take charge for a
2 previous balance that existed at this address?

3 MR. KERMIT WILLIAMS: That's not the issue
4 before you. I object to that.

5 JUDGE TEAGUE KINGSLEY: What was the question?

6 MR. KERMIT WILLIAMS: We're not on that
7 account.

8 JUDGE TEAGUE KINGSLEY: What is the question?

9 MR. BAILEY: The issue concerns the transfer of
10 the balance from the account number ending in 4693,
11 \$602.69 being transferred from that account that was
12 serving the address at 9923 South State Street. So
13 transferring it from that previous account at that
14 address to the current accountholder at that address
15 with the account ending in 4365 where Mr. Williams is
16 the current accountholder.

17 JUDGE TEAGUE KINGSLEY: And what was your
18 question?

19 BY MR. BAILEY:

20 Q The question is: Did you request a
21 transfer in balance from the account 4693 -- ending
22 in 4693 to your current account 4395?

1 JUDGE TEAGUE KINGSLEY: Oh, okay. Please
2 answer.

3 THE WITNESS: I can answer that. No, I didn't.

4 BY MR. BAILEY:

5 Q You did not request that?

6 A No, I did not request them to transfer
7 money from any account over to my account, no.

8 Q Really. So --

9 JUDGE TEAGUE KINGSLEY: Well, clarify. When
10 you say "money," you're talking about the balance?

11 MR. BAILEY: The previous balance.

12 JUDGE TEAGUE KINGSLEY: The balance from your
13 previous account to the other, Mr. Williams.

14 THE WITNESS: No. The answer is no.

15 BY MR. BAILEY:

16 Q So you are absolutely of the opinion that
17 there was no communication to the Company regarding
18 the transfer of that balance?

19 A Could you repeat that, please.

20 Q So, you are indicating there was no
21 communication by you to the Company that any amount
22 related to that balance on that previous account

1 ending in 4693 to be transferred to your service,
2 your account?

3 A You asking me a different question. And
4 this question is not relevant to this case because
5 this dealing with Case No. 43 --

6 JUDGE TEAGUE KINGSLEY: Let's rephrase the
7 question.

8 Are you asking him again if -- are you
9 confirming with him that he did not request --

10 MR. BAILEY: He did not speak with the Company
11 about transferring that balance.

12 JUDGE TEAGUE KINGSLEY: He's talking about the
13 same accounts that he asked you the first question
14 about, Mr. Williams.

15 THE WITNESS: You asked me -- let's go back.
16 You asked me when was the account established;
17 correct?

18 BY MR. BAILEY:

19 Q That was the first question.

20 A And I said October 30th, 2013; correct?

21 Q I think you said earlier in August, but
22 that's okay.

1 A No. October.

2 JUDGE TEAGUE KINGSLEY: You said August.

3 THE WITNESS: Oh, I'm sorry. It should have

4 been October. October 30th.

5 JUDGE TEAGUE KINGSLEY: Okay. Not August 30th?

6 THE WITNESS: Right. Not August, no.

7 JUDGE TEAGUE KINGSLEY: You said August.

8 THE WITNESS: Because I got my first...

9 JUDGE TEAGUE KINGSLEY: Okay.

10 THE WITNESS: Got that on -- I found it --

11 received it November 2nd in the mail. It wouldn't

12 take, you know, two -- two, three months to go

13 through. That's what I was talking about because I

14 said it had to be -- I mailed it on November 6th. So

15 I had to receive it before then. Okay. So we

16 established that.

17 Then you asked me, correct, let me

18 make sure I understood you, did I approve or request

19 a transfer of any account to be transferred to my new

20 established account because you asked me, when was it

21 established and I said the same day and then you came

22 back and asked did I ask money from another account

1 to be transferred over; correct?

2 BY MR. BAILEY:

3 Q Well, a credit from one account to another
4 but, yeah --

5 A And I stated, No. And then you asked a
6 question specifically only to an account that is not
7 revellent (sic) to this at this point because you
8 change the dialogue or direction because the issue on
9 this case is dealing with case ending with 4365. The
10 only reason the other case number is referenced is
11 because of the unlawful transfer of money into this
12 account. That's the only reason why I'm speaking
13 about that. We not here to -- talking about --

14 JUDGE TEAGUE KINGSLEY: Mr. Williams, I'm going
15 to cut you off. I think Mr. Bailey was just
16 confirming whether or not you called Peoples Gas and
17 requested to have any amount transferred from the
18 account ending in 4693 to the account ending 4365.

19 MR. KERMIT WILLIAMS: And I just said no.

20 JUDGE TEAGUE KINGSLEY: Oh, okay. Then
21 that's...

22 Is that correct, Mr. Bailey? Am I

1 mischaracterizing?

2 MR. BAILEY: Your Honor, you are correct in
3 your characterization.

4 JUDGE TEAGUE KINGSLEY: Okay.

5 MR. BAILEY: Your Honor, I'm going to seek to
6 introduce evidence to impeach this witness.

7 JUDGE TEAGUE KINGSLEY: Okay.

8 MR. BAILEY: Your Honor, if you would,
9 Mr. Williams, this is a business record.

10 (Whereupon, Respondent
11 Exhibit No. 7 was
12 marked for identification.)

13 MR. BAILEY: Your Honor, this is a business
14 record from our Call Center. This is a note screen
15 and these notes are present when a customer
16 communicates with our Call Center. They enter these
17 notes. On that note and that note screen, it
18 indicates Mr. Williams has requested the transfer of
19 a balance.

20 MR. KERMIT WILLIAMS: No, I didn't. Yeah, it
21 might say that. I said I spoke with a representative
22 because I had to speak to them to get the account.

1 You asked me when was it established. I said on that
2 same day. I'm not denying --

3 JUDGE TEAGUE KINGSLEY: Mr. Williams, could you
4 take a second to read it?

5 And could you read the remarks,
6 Mr. Bailey, just so...

7 MR. KERMIT WILLIAMS: Right. It says -- pardon
8 me, Mr. Bailey.

9 JUDGE TEAGUE KINGSLEY: Yeah.

10 MR. BAILEY: Let me grab my other copy. Let's
11 see. Let's start at the second line.

12 Customer STSM, Miss Willie B. Williams
13 was his mother and now deceased as of 2/12. Cust.
14 Assuming resp -- responsibility for bill IAS -- ISST,
15 slash, O for Kermit account, 4500068184365 ADV, will
16 expir balance once active.

17 JUDGE TEAGUE KINGSLEY: You can continue.

18 BY MR. BAILEY:

19 Q So based on this panel, did you speak with
20 the Call Center at Peoples Gas and request a transfer
21 of the previous balance of the account to your
22 current account?

1 A No.

2 Q Okay.

3 A You keep -- I answered that. You are

4 asking the same question. No. And I never denied

5 speaking with a representative from your company. I

6 said that in the beginning. I have no control of

7 what your employees write in there. I have no

8 control what this -- what you write on these

9 statements that you send me. That's why I'm here.

10 I'm disputing it. It acknowledges that I have been

11 sending you letters.

12 Q Okay.

13 A I'm trying to communicate with you.

14 Q All right.

15 A And if someone -- I'm telling you to

16 separate -- separate that from whatever, something

17 new. That's why this was probably established. You

18 trying to go into an account that's not the issue

19 today. That's all I'm saying.

20 Q In the course of your service between

21 October 2013 and your disconnection of April 28th of

22 this past year -- of this current year, did you make

1 a payment?

2 A A payment?

3 Q A payment to Peoples Gas for your
4 outstanding billing invoices.

5 A Could you repeat everything that you just
6 said?

7 Q Okay. From October 2013 when your account
8 was first established, through April 28th, 2014, when
9 you were disconnected from your service, did you
10 personally make a payment?

11 A Yes.

12 Q And that payment was what?

13 A In the form of the LIHEAP Program.

14 Q Okay. So the \$509 LIHEAP grant was your
15 payment?

16 A Correct.

17 MR. BAILEY: Okay. Very good.

18 Thank you, your Honor. No further
19 cross.

20 JUDGE TEAGUE KINGSLEY: No further questions?

21 Would you like to have this exhibit --
22 are you offering this to be admitted?

1 MR. BAILEY: No, your Honor. I'm not. It's
2 for impeachment purposes only.

3 JUDGE TEAGUE KINGSLEY: You're not. Okay. All
4 right.

5 MR. KERMIT WILLIAMS: And I object if you plan
6 on putting it into the record.

7 JUDGE TEAGUE KINGSLEY: Okay. I'm not going to
8 put it into the record.

9 MR. BAILEY: Yeah.

10 JUDGE TEAGUE KINGSLEY: Okay. So,
11 Mr. Williams, are you moving to have the two exhibits
12 that you provided me, Complainant Group Exhibit 1 and
13 Complainant Exhibit 2 admitted into the record?

14 MR. KERMIT WILLIAMS: I gave you -- you took
15 copies of transactions from October all the way up to
16 now September, so I think about 7 -- excuse me -- 12
17 different.

18 JUDGE TEAGUE KINGSLEY: The bill -- well,
19 Group -- the Complainant Group Exhibit 1, which I've
20 also provided to the respondent a copy of this
21 exhibit that's been marked as -- it starts with --
22 it's bills -- your bills. It starts with

1 December 3rd, 2013, and then there's January 2nd,
2 2014, February 3rd, 2014, March 4th, 2014, April 2nd,
3 2014, April 28th, 2014, June 3rd, 2014, July 2nd,
4 2014, August 4th, 2014 and September 3rd, 2014.

5 Those are the bills that I -- would
6 you like to move to have these offered into evidence?

7 MR. KERMIT WILLIAMS: Yes. But I wanted to go
8 over them, but you didn't really let me go over them.

9 JUDGE TEAGUE KINGSLEY: We don't -- no, you
10 testified about them, that's why I was asking you --

11 MR. KERMIT WILLIAMS: Yes.

12 JUDGE TEAGUE KINGSLEY: -- when you testified
13 what they were related to to give you an opportunity
14 to tell me about them.

15 And then you also have a mailing that
16 was marked as Complainant Exhibit 2 that you
17 provided. Are you also offering to have this --

18 MR. KERMIT WILLIAMS: Right.

19 JUDGE TEAGUE KINGSLEY: Are there any
20 objections?

21 MR. BAILEY: Yes. As to Group Exhibit 1, the
22 Company objects.

1 JUDGE TEAGUE KINGSLEY: On what basis?

2 MR. BAILEY: The basis of this objection is
3 multi-fold. First, the plaintiff -- the complainant
4 has taken our billing record and inserted a wide
5 variety of text, some of it being hearsay, some of it
6 alleging activities that the Illinois Commerce
7 Commission has no jurisdiction over and most
8 significantly proffering this as evidence that notice
9 has been provided to the Company when this is not a
10 proper means of providing notice.

11 JUDGE TEAGUE KINGSLEY: Okay.

12 MR. KERMIT WILLIAMS: I object to that.
13 Because if you send me an inquiry saying, This is the
14 amount of money we saying you owe us for this month,
15 I'm replying to that. I'm sending it back. What,
16 you want the money to go with it? What other way is
17 it going to be sent?

18 JUDGE TEAGUE KINGSLEY: Okay. Mr. --

19 MR. KERMIT WILLIAMS: It says Peoples Gas and
20 the address.

21 JUDGE TEAGUE KINGSLEY: Mr. Williams, I'm going
22 to admit this exhibit, but the comments are -- and

1 the writings are stricken. So I will not consider
2 any of these writings that you've placed on these
3 billings.

4 MR. KERMIT WILLIAMS: But then I object to that
5 because then there's no need for you accepting it
6 into the record.

7 JUDGE TEAGUE KINGSLEY: Do you want to withdraw
8 it then?

9 MR. KERMIT WILLIAMS: No. I'm going to keep it
10 in there because when I file an appeal, you have
11 knowledge, it's just that simple. I understand the
12 legal process.

13 JUDGE TEAGUE KINGSLEY: I understand that.
14 Mr. Bailey, I'm going to overrule your objection and
15 admit these -- admit this -- group exhibit, but as I
16 stated, consistent with your concerns, I'm going to
17 strike any of the comments that have been written in
18 by the complainant and they won't be considered; but
19 just for the purpose of these are your billings that
20 you've provided.

21

22

1 (Whereupon, Complainant
2 Group Exhibit No. 1 was
3 admitted into evidence.)

4 JUDGE TEAGUE KINGSLEY: Okay. And what about
5 Exhibit 2?

6 MR. BAILEY: And just for clarification, your
7 Honor, Exhibit 2 reads Low -- excuse me -- is the
8 exhibit titled Illinois Low Income Home Energy
9 Assistance Program, LIHEAP. That is this exhibit?

10 JUDGE TEAGUE KINGSLEY: Uh-huh.

11 MR. BAILEY: The Peoples Gas has no objection
12 to this exhibit.

13 JUDGE TEAGUE KINGSLEY: I'm sorry, what did you
14 say? I didn't catch what you said about the whole
15 thing.

16 MR. KERMIT WILLIAMS: He's saying except
17 that --

18 JUDGE TEAGUE KINGSLEY: No, Mr. Williams, I'm
19 going to have him restate it. Thank you very much.

20 MR. KERMIT WILLIAMS: I understand.

21 MR. BAILEY: Your Honor, I just want to verify
22 that Exhibit No. 2 --

1 JUDGE TEAGUE KINGSLEY: Mm-hmm.

2 MR. BAILEY: -- is titled Illinois Low Income
3 Home Energy Assistance Program, LIHEAP, that is the
4 title at the top of that exhibit?

5 JUDGE TEAGUE KINGSLEY: Well, the --

6 MR. KERMIT WILLIAMS: The one that you just
7 said.

8 JUDGE TEAGUE KINGSLEY: Mr. Williams, please.
9 The Exhibit I have actually has a copy of an envelope
10 and a letter of extended approval from the Department
11 of Human Services.

12 MR. BAILEY: All right. I'm sorry, your Honor,
13 I did not split those between. Your Honor, we do not
14 object to the document that is the envelope. We
15 don't object to the document within the exhibit that
16 is entitled Illinois Low Income Home Energy
17 Assistance Program. We do not object to the Notice
18 of Extension of Approval period. However, we do
19 object to the additional writings upon these official
20 documents.

21 JUDGE TEAGUE KINGSLEY: Okay. Similar to the
22 first exhibit, I'm going to admit this exhibit and

1 strike the writings that have been made on it by the
2 complainant. So those writings will not be
3 considered.

4 (Whereupon, Complainant
5 Exhibit No. 2 was
6 admitted into evidence.)

7 JUDGE TEAGUE KINGSLEY: Okay. So these
8 exhibits will go into the record, but the writings
9 will be stricken and they won't be considered.

10 Okay. Mr. Bailey, do you have your
11 first witness?

12 MR. BAILEY: Yes, we do. Actually, I'll have
13 two witnesses. Do you want to do the swearing in of
14 both at the same time?

15 JUDGE TEAGUE KINGSLEY: Sure. Let's do both at
16 the same time. Which two? Can you say their names?

17 MR. BAILEY: Our first witness will be Miss
18 Diane Harris. Our second witness will be Mr. Edward
19 Mike Korenchan.

20 JUDGE TEAGUE KINGSLEY: Okay. Can you please
21 both raise your right hands.

22 (Witnesses sworn.)

1 JUDGE TEAGUE KINGSLEY: Okay. Thank you.

2 Who will be your first witness?

3 MR. BAILEY: Miss Harris.

4 Where would you like -- do you want

5 her in the box or --

6 JUDGE TEAGUE KINGSLEY: Wherever she is

7 comfortable. She can sit next to you, she can sit in

8 the box, whatever.

9 DIANE HARRIS,

10 called as a witness herein, having been first duly

11 sworn, was examined and testified as follows:

12 DIRECT EXAMINATION

13 BY

14 MR. BAILEY:

15 Q Good afternoon.

16 A Good afternoon.

17 Q Please state your name for the record.

18 A Diane Harris.

19 Q And by whom are you employed?

20 A Peoples Energy.

21 Q All right.

22 A Peoples Gas Light and Coke Company, known

1 as Integrys Energy.

2 Q Now, how long have you worked for Peoples
3 Gas?

4 A Approximately 27 years total.

5 Q Very good. And what is your current job
6 title?

7 A Senior account rep.

8 Q Okay. And what do you do as a senior
9 account representative?

10 A As a senior account rep, what I do is
11 review customer inquiries, handle complaints. What I
12 will do is look at billing. What I do is -- anything
13 that has to do with questions in regard to a
14 customer's account, any disputes, any bill reviews,
15 any complaint that the customer may have in regard to
16 their bill, any inquiry, I address customer letters
17 and concerns regarding their bills.

18 Q What other positions at the Company have
19 you held?

20 A I've been in the Transportation and I've
21 also been with Customer Service as a lead.

22 Q Okay. Very good. Very good. So what is

1 the purpose of your testimony today?

2 A The purpose of the testimony today is to
3 answer the customer's question in regard to
4 transferring \$602.69 from a final account to an
5 active account -- current active account.

6 The other question exists in regards
7 to a disconnection -- whether or not disconnection
8 notices were issued or sent to the customer and also
9 was there notification regarding a disconnection
10 and -- the gas was cut off on April 28th of 2014 --
11 to respond to that.

12 MR. BAILEY: Very good. Your Honor, may I
13 approach?

14 JUDGE TEAGUE KINGSLEY: Sure.

15 MR. BAILEY: Thank you. I'm handing
16 Miss Harris Exhibit 1.

17 BY MR. BAILEY:

18 Q These are the billing invoices for
19 Mr. Williams for the account number ending in 4365?

20 A Yes.

21 Q Now, does part of your job involve
22 creating -- creating these bills for these type of

1 proceedings?

2 A Yes.

3 Q And did you produce this record in the

4 course of --

5 A What I did, yes, is made a copy of the

6 bill.

7 Q Are these produced by the Company in the

8 regular course of business?

9 A By the Company, correct, yes.

10 Q And is this an accurate record of those

11 bills?

12 A This is an accurate record of the bills.

13 MR. BAILEY: Your Honor, I move to admit

14 Exhibit 1.

15 JUDGE TEAGUE KINGSLEY: Okay. Is there any

16 objection?

17 MR. KERMIT WILLIAMS: Can I see it?

18 JUDGE TEAGUE KINGSLEY: Oh, I thought you had a

19 copy.

20 MR. BAILEY: He has a package.

21 MR. KERMIT WILLIAMS: Is this the whole package

22 only or just this first page?

1 MR. BAILEY: Exhibit 1 contains --

2 MR. KERMIT WILLIAMS: Okay.

3 MR. BAILEY: -- the entire record.

4 MR. KERMIT WILLIAMS: Okay. I don't object to

5 them putting this in, no.

6 JUDGE TEAGUE KINGSLEY: Okay. Then Respondent

7 Exhibit 1 is admitted into the record.

8 (Whereupon, Respondent

9 Exhibit No. 1 was

10 admitted into evidence.)

11 MR. BAILEY: Thank you.

12 BY MR. BAILEY:

13 Q Now, Miss Harris, would you please turn to

14 the bill which I believe is going to be the second

15 page of December 3rd, 2013.

16 A I have that.

17 Q All right. Thank you.

18 Now, Mr. Williams contends that there

19 was a transfer as shown on the invoice of \$602.69

20 from the account number ending in 4693 to the account

21 number ending in 4365, his current account.

22 Do you see that?

1 A Yes.

2 Q Why was this transfer made?

3 A A transfer is generally made to an account
4 if the customer requests that a final bill be
5 transferred to a current account. So this would have
6 been a request from the customer that this bill be
7 transferred in.

8 Q All right. And is this a general process
9 that somebody could request?

10 A It is something that the customer can
11 request. It's not something that we will do if the
12 name -- the name isn't the same, the customer has to
13 call and say, I accept responsibility for that bill.

14 Q Okay. Now, what has the Company decided to
15 do as to the \$602.69 transfer?

16 A What the Company has decided is to settle,
17 is to remove the \$602.69 from Mr. Kermit Williams'
18 account.

19 Q So the Company will waive the \$602.69
20 charge?

21 A The Company -- that is correct.

22 Q And this would be -- this reduction,

1 subtracting off the \$602 would be reflected on a
2 revised bill at some time?

3 A That's correct.

4 Q Thank you. Next, I want to turn our
5 attention to the LIHEAP payment. Looking again to
6 the December 3rd bill, can you please tell me,
7 looking under the words "activity since last bill,"
8 there is a phrase called "LIHEAP payment."

9 What does that indicate?

10 A It indicates \$509 was credited to this
11 account.

12 Q And that's the account ending in 4365,
13 Mr. Williams' current account?

14 A Yes.

15 Q Thank you.

16 MR. BAILEY: And now approaching the witness,
17 if I may --

18 JUDGE TEAGUE KINGSLEY: Sure.

19 MR. BAILEY: -- with Exhibit 2.

20 BY MR. BAILEY:

21 Q And Exhibit 2 purports to show a balance or
22 a transfer balance.

1 And once again, does part of your job
2 involve creating and reviewing this type of document?

3 A Part of my job would be to create and
4 review it as far as making copies of this particular
5 document.

6 Q And was this made -- was this panel made in
7 connection with the regular course of business?

8 A Yes.

9 Q Is this an accurate record of what the
10 payment purports to show as to a balance?

11 A Yes.

12 MR. BAILEY: Your Honor, I move to admit.

13 JUDGE TEAGUE KINGSLEY: Okay. What is the name
14 of this sort of a document?

15 THE WITNESS: The profile panel.

16 JUDGE TEAGUE KINGSLEY: Profile panel?

17 THE WITNESS: Yes.

18 JUDGE TEAGUE KINGSLEY: Is there any objection
19 to admitting the profile panel?

20 MR. KERMIT WILLIAMS: Not the profile panel.
21 What he's saying, how can I -- his wording accurate,
22 yes -- how can I put it -- a lie can be the truth,

1 but it could be -- but it's not truly stated. You
2 see what I'm saying?

3 JUDGE TEAGUE KINGSLEY: Mm-hmm.

4 MR. KERMIT WILLIAMS: You could -- you could --
5 something could be said, but something -- what was
6 said was truly stated --

7 JUDGE TEAGUE KINGSLEY: I understand.

8 MR. KERMIT WILLIAMS: -- or what took place.

9 JUDGE TEAGUE KINGSLEY: Do you object to
10 offering to -- this exhibit?

11 MR. KERMIT WILLIAMS: I object to him saying
12 this is accurate information as to it, yeah. It's
13 accurate to the truth as to how they do things.

14 JUDGE TEAGUE KINGSLEY: Okay. You'll have --

15 MR. KERMIT WILLIAMS: It's not accurate as to
16 saying that's what I actually owe.

17 JUDGE TEAGUE KINGSLEY: Okay. Mr. Williams,
18 you'll --

19 MR. KERMIT WILLIAMS: It's questionable to say
20 if this is presented --

21 JUDGE TEAGUE KINGSLEY: Mr. Williams, I'm going
22 to cut you off. You're going to have an opportunity

1 to ask this witness questions where you can sort of
2 flush it out if you'd like; but the question is
3 whether or not you object to admitting this into the
4 record, this document.

5 MR. KERMIT WILLIAMS: I have a term -- could I
6 rephrase what he said?

7 JUDGE TEAGUE KINGSLEY: The term is not the
8 issue. I just want to know if this document -- if
9 you have an objection to this document.

10 MR. KERMIT WILLIAMS: Yeah -- no. Let it go
11 in. Let it go in. I'll address it.

12 JUDGE TEAGUE KINGSLEY: Then Respondent Exhibit
13 2 is admitted into the record.

14 (Whereupon, Respondent
15 Exhibit No. 2 was
16 admitted into evidence.)

17 MR. BAILEY: Thank you, your Honor.

18 BY MR. BAILEY:

19 Q What does Exhibit 2 purport to show?

20 A Exhibit 2 shows the arrears on the account,
21 \$1,888.10. It shows the last payment, \$509, on
22 November 14th, 2013.

1 Q So this is -- this \$509 is identical to the
2 \$509 indicated on the billing invoice --

3 A That is correct.

4 Q -- of December 3rd?

5 Thank you. Mr. Williams contends he
6 was improperly disconnected. Is this true?

7 A That is not true. A disconnection notice
8 is sent to the customer and also what will happen is
9 the customer will receive a notice letting them
10 know -- the disconnection notice which indicates that
11 services will be disconnected or interrupted by a
12 certain date if the bill is -- or the balance is not
13 paid.

14 MR. BAILEY: May I approach?

15 JUDGE TEAGUE KINGSLEY: Yes.

16 BY MR. BAILEY:

17 Q Miss Harris, what I'm handing to you now is
18 labeled Exhibit 3. It contains two disconnection
19 notices. One, a standard disconnection notice, the
20 other a final disconnection notice.

21 A Okay.

22 Q Does part of your job involve printing

1 these off of a Company system?

2 A Yes.

3 Q Was this made in the regular course of

4 business?

5 A Yes.

6 Q Is this a true and accurate record of the

7 disconnection notices?

8 A Yes.

9 MR. BAILEY: Your Honor, I move to admit.

10 JUDGE TEAGUE KINGSLEY: Is there any objection?

11 MR. KERMIT WILLIAMS: No. No. No.

12 JUDGE TEAGUE KINGSLEY: Okay. Okay. Then

13 Respondent Exhibit 3 is admitted into the record.

14 (Whereupon, Respondent

15 Exhibit No. 3 was

16 admitted into evidence.)

17 BY MR. BAILEY:

18 Q So apart from the LIHEAP payment made on

19 his behalf and apart from the credit due to the

20 deposit because of the LIHEAP status, were there any

21 payments made by Mr. Williams during his course of

22 service from October 2013 through the termination of

1 his service on April 28th?

2 A No.

3 Q Have there been any payments made by

4 Mr. Williams since April 28th, 2013?

5 A No.

6 Q When did Mr. Williams file his formal

7 complaint or do you know when Mr. Williams filed his

8 formal complaint?

9 A June 2014. And the exact -- you want the

10 dates?

11 Q When do you believe he filed his complaint?

12 A June 14th or 17th.

13 MR. BAILEY: Okay. Thank you, Miss Harris.

14 Your Honor, we have no further

15 questions for this witness.

16 JUDGE TEAGUE KINGSLEY: Okay. I have a quick

17 question.

18 EXAMINATION

19 BY

20 JUDGE TEAGUE KINGSLEY:

21 Q You mentioned that typically the customer

22 would get two disconnection notices or...

1 A What they do is normally the customer will
2 get a reminder letting them know that the bill has
3 not been paid. What the Company also attempts to do
4 is make phone calls to notify the customer.

5 What we have here on Exhibit 3 is
6 letting the customer know that on March 5th that they
7 have a past due balance, it's to let you know that --
8 what the total amount is owed. It shows \$1,289.14
9 and of this \$892.91 is past due.

10 Q Okay.

11 A So this is a collection letter that is sent
12 prior to sending a disconnection notice.

13 Q Oh, okay.

14 A And then when we do not receive payment, a
15 disconnection notice is issued and that is part of
16 the exhibit that says that if you do not want the gas
17 shut off, you must pay the amount of 1,334.67 before
18 April 14th of 2014.

19 Q Okay. So this is the final disconnection
20 notice?

21 A This is the actual final disconnection
22 notice.

1 Q And Exhibit 3 --

2 A That's a collection letter.

3 Q -- that's a reminder that you give before

4 that?

5 A Yes. A collection letter.

6 Q Okay. And I wanted to confirm that -- with

7 respect to the transfer of, I believe the account

8 4693 to the -- Mr. Williams' current account, that

9 the Company has stated they'll remove that from his

10 account?

11 A Yes.

12 Q And then that amount will be deducted from

13 how much he owes?

14 A From the total of \$1,888.10, that's

15 correct.

16 Q It would \$1,002-something?

17 A That is correct.

18 JUDGE TEAGUE KINGSLEY: Mr. Williams, do you

19 have any questions?

20 MR. KERMIT WILLIAMS: Yes.

21

22

1 CROSS-EXAMINATION

2 BY

3 MR. KERMIT WILLIAMS:

4 Q Were you assigned to my account?

5 A What do you mean assigned to your account?

6 Q Were you the one that oversees my account
7 and distributes the billings, sent it out to me?

8 A I sent the billing.

9 Q On my account. I'm not saying anybody
10 else's I'm saying --

11 A I've sent the billing on your account,
12 duplicate bills.

13 Q You are knowledgeable of all the
14 transactions pertaining to my account?

15 A No, I have not handled --

16 Q Account number ending 4365?

17 A I have not handled all information
18 pertaining to your account, no.

19 Q Okay. What -- at what point did you handle
20 it? What days or month?

21 A I'm involved right now with issuing
22 duplicate bills, preparing of the information so that

1 our attorney will have information for this case and
2 that was preparing the duplicate bills that you see
3 in Exhibit 1, preparing for Exhibit 2, the profile
4 panel, which indicates exactly what is owed on the
5 account and preparing Exhibit 3 to show the
6 collection letter that was issued on March 5th and
7 then that the disconnection notice has been issued to
8 you, the customer.

9 Q So your involvement only came recently
10 maybe, like, since July?

11 A My involvement was only recently. That is
12 correct.

13 Q So if I was -- you said you reviewed
14 inquiries sent by clients or customers?

15 A That's correct.

16 Q Have you ever responded or addressed any
17 inquiries or responses I made on my account to your
18 company?

19 A No. Not to you directly, no.

20 Q Earlier he asked you why was you here.
21 Could you tell us why was you here?

22 A I'm here to respond to the complaint that

1 you have with the Company.

2 Q You said something about explaining
3 something to me. I didn't ask you to come here. He
4 asked you to come here.

5 MR. BAILEY: Your Honor, I object. This is --

6 MR. KERMIT WILLIAMS: You did.

7 JUDGE TEAGUE KINGSLEY: What's the purpose of
8 your question? Do you want the -- Mr. Williams, do
9 you want the court reporter to read back to you what
10 she said the purpose of her --

11 MR. KERMIT WILLIAMS: Yes.

12 JUDGE TEAGUE KINGSLEY: -- coming here today
13 is?

14 MR. KERMIT WILLIAMS: Yes.

15 THE WITNESS: I think Mr. Williams was the one
16 that said I responded to his complaint. I think that
17 is what he's asking.

18 JUDGE TEAGUE KINGSLEY: Is that your question?

19 MR. KERMIT WILLIAMS: No. Find the question.

20 JUDGE TEAGUE KINGSLEY: She is looking for the
21 question.

22 MR. KERMIT WILLIAMS: Okay.

1 JUDGE TEAGUE KINGSLEY: We're just clarifying
2 to make sure that we are all on the same page.

3 MR. KERMIT WILLIAMS: Right.

4 (Record read as requested.)

5 BY MR. KERMIT WILLIAMS:

6 Q Could you identify that person for me,
7 please?

8 A Yes.

9 Q Who is that?

10 A Koby Bailey.

11 Q Okay. What is his position?

12 A He's an attorney for Peoples Gas Light and
13 Coke Company, Integrys Energy.

14 Q Now, she said you was going to explain
15 something to someone. Who was that person you was
16 going to explain it to?

17 A You as the customer, your bill.

18 Q You asking me a question or are you making
19 a statement?

20 A I will explain the bill. The --

21 Q I didn't ask you that.

22 JUDGE TEAGUE KINGSLEY: Mr. Williams, I think

1 this is getting argumentative. What is your
2 question? What's your question for her?

3 BY MR. KERMIT WILLIAMS:

4 Q I want her to identify the person she said
5 she wanted to address.

6 JUDGE TEAGUE KINGSLEY: The court reporter just
7 read back the transcript that she said she was here
8 today to explain or answer the question about the
9 transfer of the amounts between the two accounts and
10 the disconnection notices --

11 MR. KERMIT WILLIAMS: To me.

12 JUDGE TEAGUE KINGSLEY: -- or the disconnection
13 issues.

14 MR. KERMIT WILLIAMS: To me, but she addressed
15 it to him.

16 JUDGE TEAGUE KINGSLEY: Why is this relevant?

17 MR. KERMIT WILLIAMS: Because I want to make
18 sure she coherent, understands --

19 JUDGE TEAGUE KINGSLEY: Okay. What's your next
20 question? I'm going to strike that line of
21 questions. What's your next question?

22

1 BY MR. KERMIT WILLIAMS:

2 Q My next question is, so you established
3 that you just became involved in this matter maybe at
4 the earliest the July 10th --

5 A Yes.

6 Q -- of this year?

7 You had no involvement of prior
8 transactions with me and Peoples Gas prior to July
9 10th of 2014; correct?

10 A We can't establish dates because I couldn't
11 give you an exact date.

12 Q Okay. You also stated that those letters
13 and notice as exhibits is basically protocol that you
14 generally follow; right?

15 A It's not protocol that I generally follow.
16 We follow the rules by the Illinois Commerce
17 Commission. That's what we're governed by. So what
18 we have here as exhibits is what is sent to you, the
19 customer, disconnection notice or collection letters.

20 Q Why was it disconnected on April 28th and
21 not before then?

22 A Because what we do is we give you, the

1 customer, an opportunity to pay your bill and what we
2 will do is send letters and notices advising you of
3 the past due amount which gives you an opportunity to
4 pay before the disconnection day.

5 Q Okay. Let me ask you this question: Since
6 your involvement, let's say, the earliest July 10th
7 of this year, have you checked my records to see that
8 I made any attempt to address or make payments or
9 anything pertaining to all requirements that you
10 made -- not you specifically, but Peoples Gas -- to
11 me, seeking some type of monetary -- on the account,
12 a monetary reward on the account or due balance?

13 A I didn't understand. What do you mean
14 "monetary reward" or --

15 Q Payment on an account, some type of payment
16 on an amount of money that they saying that I owe?

17 A That we're seeking payment for a past due
18 balance? Is that your question to me? Are we
19 seeking payment?

20 Q No.

21 JUDGE TEAGUE KINGSLEY: I think he was asking
22 if -- before you issued the bill if you reviewed his

1 account history to see if he made payment.

2 Is that your --

3 MR. KERMIT WILLIAMS: That or any kind of
4 transaction that involved me communicating with
5 Peoples Gas.

6 THE WITNESS: I --

7 BY MR. KERMIT WILLIAMS:

8 Q Because you said you didn't mess with it
9 until at the earliest July?

10 A I couldn't give you an exact date, but I've
11 reviewed the documentation on the account that's
12 noted.

13 Q Okay. But what I'm saying is --

14 MR. KERMIT WILLIAMS: Can I show her an
15 example, my exhibits that I submitted to you, I want
16 to see if she is familiarized with any of these
17 documentation that was sent to they department. I
18 need her confirmation.

19 JUDGE TEAGUE KINGSLEY: You can show her one.

20 MR. KERMIT WILLIAMS: Just for confirmation
21 purposes.

22 JUDGE TEAGUE KINGSLEY: You can just show her

1 one. These are your Exhibit 1.

2 BY MR. KERMIT WILLIAMS:

3 Q I use the one with mailing date April 17.

4 Do you ever recall seeing a document like this in

5 your folder?

6 A Not this particular document, no.

7 Q Or any one similar to -- like that?

8 A A document similar -- one document I've

9 seen that had notes written on the account.

10 Q How recent was that? Can you recall?

11 A I don't know. I couldn't give you a date

12 at all.

13 Q Okay. Let me ask you, was it a lot like

14 that or smaller maybe like --

15 A I could not --

16 Q -- most recent.

17 Let me show you a recent one.

18 A I couldn't respond as to the exact --

19 Q Date, I know, I can understand that.

20 A -- document because I didn't actually --

21 JUDGE TEAGUE KINGSLEY: Did you have an

22 objection?

1 MR. BAILEY: No objection. I just would like
2 him not to cut the witness off.

3 JUDGE TEAGUE KINGSLEY: Mr. Williams, can you
4 let her get her answer out completely?

5 MR. KERMIT WILLIAMS: Oh, okay.

6 BY MR. KERMIT WILLIAMS:

7 Q So you not familiarized with my case,
8 basically, that's what I'm trying to establish, only
9 until they asked you to come here and you explained
10 it to them and not me --

11 MR. BAILEY: Objection.

12 MR. KERMIT WILLIAMS: That's what she said.
13 I'm just repeating what she said. How can you
14 object?

15 JUDGE TEAGUE KINGSLEY: I don't think that's a
16 proper characterization of her testimony; but do you
17 have additional questions that you would like to ask
18 her regarding these two topics that she's testified
19 about, the disconnection and the transfer?

20 MR. KERMIT WILLIAMS: Yeah.

21 BY MR. KERMIT WILLIAMS:

22 Q I think I -- ask you this question. My

1 question is: Why did Peoples Gas wait till April
2 28th to disconnect my service of gas?

3 A They were allowing you an opportunity to
4 pay the bill.

5 Q Okay.

6 JUDGE TEAGUE KINGSLEY: Mr. Williams, I think
7 this might help you in the question that you're
8 trying to ask.

9 Are you trying to figure out -- is
10 there like a set amount of time or -- that a consumer
11 is given before a disconnection notice is sent out?

12 THE WITNESS: Usually there is a set amount of
13 time before a disconnection notice is issued. In
14 this case, they allowed you -- it says, You must pay
15 the bill by April 14th. So -- it's issued on April
16 the 3rd, the actual disconnection notice. So on the
17 14th, if the payment isn't made prior to that, your
18 services can be disconnected. So on your gas bill,
19 they allow you 21 days from the date of the bill to
20 pay the bill.

21 JUDGE TEAGUE KINGSLEY: But is there like -- I
22 think -- tell me if I'm mischaracterizing your

1 question -- I think what Mr. Williams is trying to
2 get at is it like if you're four months late and not
3 paying your bill, then a disconnection -- there is no
4 set --

5 THE WITNESS: No.

6 JUDGE TEAGUE KINGSLEY: -- amount of time where
7 you are past due before you get the --

8 THE WITNESS: No.

9 JUDGE TEAGUE KINGSLEY: Okay. I don't know if
10 that's what you were trying to get at.

11 BY MR. KERMIT WILLIAMS:

12 Q Let me ask you this question, and I can
13 see -- in the corporate structure of Peoples Gas,
14 generally they assign an individual to oversee more
15 than one account and is this person generally the
16 same one, unless they go on vacation and get sick and
17 then somebody has to take -- I can understand that --
18 but let's say they well, they not on vacation, will
19 it be the same person overseeing my account?

20 A Not necessarily so.

21 Q Or it could change just like if you call
22 Customer Service on the phone you're not going to get

1 the same person?

2 A It can change.

3 MR. KERMIT WILLIAMS: So basically what I'm

4 saying -- getting to the point is confirming she

5 really don't have no knowledge of --

6 JUDGE TEAGUE KINGSLEY: Mr. Williams.

7 MR. BAILEY: I object to this. He's trying to

8 introduce testimony into the record not through a

9 witness.

10 JUDGE TEAGUE KINGSLEY: I sustain. You had

11 your opportunity to testify and right now what we're

12 doing is cross-examination where you have an

13 opportunity to direct questions to the witness, not

14 to testify yourself.

15 So do you have any other questions for

16 her related to the transfer of the balance?

17 MR. KERMIT WILLIAMS: If I call myself up there

18 to the witness stand, it's still the same thing.

19 JUDGE TEAGUE KINGSLEY: No, we've done that.

20 We did that initially. You had -- you presented your

21 testimony to me.

22 MR. KERMIT WILLIAMS: But that was prior to

1 hearing what they saying.

2 JUDGE TEAGUE KINGSLEY: Do you have any other

3 questions?

4 MR. KERMIT WILLIAMS: No further questions of

5 Miss Harris. Thank you.

6 JUDGE TEAGUE KINGSLEY: Is there any redirect?

7 MR. BAILEY: Just one question, your Honor.

8 JUDGE TEAGUE KINGSLEY: Okay.

9 REDIRECT EXAMINATION

10 BY

11 MR. BAILEY:

12 Q Miss Harris?

13 A Yes.

14 Q Is it common practice for the Company to

15 take notice of a customer complaint by writing on a

16 bill?

17 A No.

18 MR. BAILEY: Thank you.

19 MR. KERMIT WILLIAMS: Can I ask a question?

20 JUDGE TEAGUE KINGSLEY: Sure.

21

22

1 RECROSS-EXAMINATION

2 BY

3 MR. KERMIT WILLIAMS:

4 Q Even though it might not be traditional or
5 impractical, but will they just dismiss it totally?

6 A It's possible.

7 Q That's my point when I said -- okay --
8 client relationship.

9 JUDGE TEAGUE KINGSLEY: Just questions,
10 Mr. Williams.

11 MR. KERMIT WILLIAMS: Thank you.

12 JUDGE TEAGUE KINGSLEY: Okay.

13 MR. KERMIT WILLIAMS: Let me ask one more
14 question.

15 JUDGE TEAGUE KINGSLEY: No, wait, Mr. Williams.
16 I have one quick question kind of related to that.

17 FURTHER EXAMINATION

18 BY

19 JUDGE TEAGUE KINGSLEY:

20 Q Are customers -- and if you don't know the
21 answer to this, let me know.

22 Are customers informed that if they do

1 have a complaint, they can contact the ICC?

2 A Customers do and are aware that they can
3 contact the ICC.

4 Q How are they aware of that?

5 A Normally, if I can remember, the customers,
6 it is printed on the bill or notice -- disconnection
7 notice, I need to see -- disconnection notice. No,
8 this one says notice of payment; but customers are
9 aware that they can contact the ICC.

10 Q Okay. But right now you can't recall where
11 that's communicated?

12 A I don't remember where that's at.

13 JUDGE TEAGUE KINGSLEY: Okay. You're excused.
14 Thank you so much.

15 MR. KERMIT WILLIAMS: I do want to ask her one
16 thing.

17 JUDGE TEAGUE KINGSLEY: Oh, you had one more
18 question?

19 MR. KERMIT WILLIAMS: Yes.

20

21

22

1 FURTHER CROSS-EXAMINATION

2 BY

3 MR. KERMIT WILLIAMS:

4 Q Miss Harris?

5 A Yes.

6 Q Basically, my question is -- this might be
7 like a two-part question, I'm not sure. So you have
8 no knowledge of me not sending information to try to
9 communicate with Peoples Gas or no knowledge of me
10 trying to communicate with Peoples Gas in writing; is
11 that true or false?

12 MR. BAILEY: Your Honor, I have to object to
13 the first part. You cannot try to prove a negative.

14 JUDGE TEAGUE KINGSLEY: I agree. You have to
15 restate the question or just stick with the second
16 part.

17 MR. KERMIT WILLIAMS: Okay.

18 BY MR. KERMIT WILLIAMS:

19 Q Do you have knowledge of me responding to
20 any inquiries from Peoples Gas in writing?

21 A When you say "inquiry" that we -- just
22 anything that you wrote?

1 Q Any type of transaction.

2 A That you wrote? Have I seen it?

3 Q Or someone on my behalf is equivalent. Do

4 you have knowledge? Have you ever seen any

5 documentation? That's all I'm asking.

6 A Yes.

7 Q You have?

8 A Yes.

9 Q And you said one?

10 A Yes.

11 Q And you said it had writing on it?

12 A Yes.

13 Q But it was just one, no more?

14 A No more.

15 MR. KERMIT WILLIAMS: Okay. All right. Thank

16 you.

17 JUDGE TEAGUE KINGSLEY: Okay. Thank you,

18 Miss Harris. I think you have one --

19 MR. BAILEY: Can we take a brief intermission?

20 JUDGE TEAGUE KINGSLEY: Okay. You want to do

21 like 5 minutes?

22 MR. BAILEY: 5 minutes.

1 JUDGE TEAGUE KINGSLEY: Okay. 5-minute break.

2 (Break taken.)

3 JUDGE TEAGUE KINGSLEY: Mr. Bailey, I believe

4 you have another witness.

5 MR. BAILEY: Yes. I'd like to call

6 Mr. Korenchan to the witness stand.

7 JUDGE TEAGUE KINGSLEY: Okay. What's your last

8 name again?

9 THE WITNESS: K-o-r-e-n-c-h-a-n.

10 JUDGE TEAGUE KINGSLEY: Thank you.

11 MR. BAILEY: Now, your Honor, I have requested

12 three exhibits, Exhibit 4, 5 and 6, to have these

13 admitted on administrative notice.

14 Exhibit 4 is Page 21 of our tariff

15 sheet, our terms and conditions documents, it's part

16 of the rate book, it's approved by the Commission.

17 Also Exhibit 5 is Rider 8, which is, again, part of

18 the Peoples Gas rate book. And then Exhibit 6 is a

19 section of Part 500.280 regarding heating values and

20 Cali- -- anyhow, heat measurement equipment.

21 May I approach the witness?

22 JUDGE TEAGUE KINGSLEY: Yes, please. And are

1 you offering these right now?

2 MR. BAILEY: And I will offer these into
3 evidence on administrative notice.

4 JUDGE TEAGUE KINGSLEY: Are you offering it
5 right now?

6 MR. BAILEY: Yes.

7 JUDGE TEAGUE KINGSLEY: Is there any objection,
8 Mr. Williams? Do you have a copy? There's three.
9 You have them?

10 MR. KERMIT WILLIAMS: No, I don't object to
11 these.

12 JUDGE TEAGUE KINGSLEY: Okay. Then Exhibits 4,
13 5 and 6 are admitted into the record on
14 administrative notice.

15 (Whereupon, Respondent
16 Exhibit Nos. 4 through 6 were
17 admitted into evidence.)

18 MR. BAILEY: Thank you, your Honor.

19

20

21

22

1 EDWARD KORENCHAN,
2 called as a witness herein, having been previously
3 duly sworn, was examined and testified as follows:
4 DIRECT EXAMINATION
5 BY
6 MR. BAILEY:
7 Q Please state your name for the record.
8 A Edward Michael Korenchan.
9 Q And by whom are you employed?
10 A I work for Integrys Energy.
11 Q And they provide support to?
12 A The Peoples Gas Light and Coke Company.
13 Q Thank you. And how long have you worked
14 for the Peoples Gas Light and Coke Company or
15 Integrys?
16 A Approximately 28 years.
17 Q Now, what is your current job title?
18 A I'm the supervisor of gas regulatory
19 services.
20 Q What does that entail?
21 A We basically handle most filings with the
22 Illinois Commerce Commission. We're involved in rate

1 cases, tariffs, reconciliation proceedings, various
2 filings of different types.

3 Q So you are part of the tariff development
4 process?

5 A Yes.

6 Q What other positions have you held at the
7 Company?

8 A I started off in general accounting. I
9 spent a number of years in state regulatory affairs.
10 I was also on re-engineering project for several
11 years. I was manager of market research and
12 predictive analytics and most recently, gas
13 regulatory services.

14 Q Thank you.

15 Now, what is the purpose of your
16 testimony today?

17 A It's twofold. To talk about the BTU
18 factors and also the pressure correction factors.

19 Q Okay. Now, please -- next, I'm going to
20 ask you about the meter. Can you explain what a
21 meter measures? What is that measurement?

22 A A meter measures the volume of gas that

1 goes through the meter.

2 MR. BAILEY: And -- may I approach, your Honor?

3 JUDGE TEAGUE KINGSLEY: Yes.

4 MR. BAILEY: Thank you.

5 I'm just showing the witness

6 previously introduced Exhibit 1.

7 BY MR. BAILEY:

8 Q I'm handing you for purposes of discussion,
9 the December 3rd, 2013 bill. On that bill, there are
10 numbers indicated related to the meter -- the meter
11 read. What do those numbers reflect? What does the
12 past actual reflect? What does the current actual
13 reflect?

14 A The previous actual reflects the meter read
15 at the beginning of this period. The current actual
16 is the reading at the end of the period and that's
17 must measuring the volume of gas.

18 Q Okay. Mr. Williams has contended that the
19 BTU adjustment factor is contrary to what is
20 contained within our tariffs and the rules of the
21 Commission. Is that statement true?

22 A No, it is not.

1 Q Can you please describe why the Company has
2 a BTU conversion factor?

3 A The reason we have the BTU conversion
4 factor is that our gas comes in through numerous
5 different pipelines throughout the city, it all gets
6 mixed together and from different providers or
7 different time frames the heating ability of the gas
8 can defer, it can be a little bit rich or a little
9 less rich.

10 More importantly, though, we basically
11 use -- apply the BTU factor because it's in our
12 tariffs and it's also -- in the Administrative Code
13 Section 500.280 it's referenced, so we're following a
14 practice that's been in effect for at least 40 years
15 at Peoples Gas, it's also in effect at the other
16 major utilities in Illinois.

17 Q Right. And those major ut- -- those other
18 major gas utilities are?

19 A Ameren and Nicor which used to be known as
20 Northern Illinois Gas.

21 Q Very good. So are the BTU -- the BTU
22 adjustment factor, is that periodically updated?

1 A It's updated every month with a filing
2 before the Illinois Commerce Commission. It's an
3 information sheet filing.

4 Q Okay. And are you or someone in your
5 department responsible for that filing?

6 A Yes. We perform the filing in our
7 department using information provided by other areas.

8 Q Okay. Very good. So would you -- so this
9 has been a long-term, long-time Peoples Gas practice?

10 A Yes.

11 Q And these are -- this BTU conversion factor
12 is required by the Illinois Commerce Commission?

13 A Yes, it is.

14 Q And then these documents are filed -- the
15 particular Rider 8 information sheet is filed with
16 the ICC every month?

17 A Yes, it is.

18 Q And if the Company would not file these
19 with the Illinois Commerce Commission, would it be in
20 violation of its own tariffs?

21 A Yes, it would.

22 Q Thank you.

1 Now I want to turn your attention to
2 the pressure correction factor. What's your
3 understanding of the definition of pressure
4 correction factor?

5 A It's a factor that's used to compute the
6 quantity of gas when it is delivered at a higher than
7 normal pressure.

8 Q Now, when is gas considered to be delivered
9 at a higher than normal pressure for a residential
10 space heating service similar to Mr. Williams' Rate 1
11 heating service?

12 A It is not. Basically rate 1 customers,
13 small residential, their pressure correction is one.
14 So there is no pressure correction factor.

15 Q When would a pressure correction factor be
16 used?

17 A Typically that would be when some sort of
18 an industrial or commercial customer would request
19 that pressure be provided at a higher than normal
20 level mainly because of their equipment or their
21 process.

22 Q Okay. Very good.

1 So for -- you've said for residential
2 heating account, or Rate 1 account, as is in this
3 case, the pressure correction factor is 1?

4 A Correct.

5 Q Now, why are we --

6 MR. KERMIT WILLIAMS: I object. How can you
7 prove that? You don't have no meters where it could
8 be established. That's "he say (sic), she says."

9 JUDGE TEAGUE KINGSLEY: Mr. Williams -- sorry.
10 Mr. Williams, when he's done with his questions, then
11 you can probably direct that question to this
12 witness.

13 MR. KERMIT WILLIAMS: Okay.

14 BY MR. BAILEY:

15 Q So for residential accounts, the pressure
16 correction factor is 1?

17 A Correct.

18 Q The pressure -- the only reason why a
19 pressure correction factor other than 1 would occur
20 would be for a commercial -- or a large commercial or
21 large industrial account?

22 A One that would require higher pressure,

1 many would not.

2 Q Very good. Thank you.

3 Is the pressure correction factor
4 required by the administrative rules?

5 A Yes. It's specifically required by Section
6 500.280, heating value and calorimeter equipment.

7 Q And is the pressure correction factor
8 required pursuant to our tariffs?

9 A It is pursuant -- it's listed in terms and
10 conditions on Page 4. It is required.

11 MR. BAILEY: Okay. Your Honor, no further
12 questions of this witness.

13 JUDGE TEAGUE KINGSLEY: Okay. I had a quick
14 question.

15 EXAMINATION

16 BY

17 JUDGE TEAGUE KINGSLEY:

18 Q So just to confirm, when the pressure
19 correction factor is 1, that means there is no
20 pressure --

21 A Correct.

22 Q -- used?

1 A It's normal for the meter, standard.

2 Q Okay. You may have answered this and I
3 didn't catch it, but the BTU factor, can you explain
4 what that is?

5 A Sure. It's a factor used to convert
6 measured gas volumes into the heating value of the
7 gas. As I mentioned, the different gas coming in can
8 be a little bit richer or less rich levels and it's a
9 way of standardizing.

10 JUDGE TEAGUE KINGSLEY: Okay. I'm sorry, you
11 did answer that question.

12 Mr. Williams, do you have any
13 questions for the witness?

14 MR. KERMIT WILLIAMS: Yes.

15 CROSS-EXAMINATION

16 BY

17 MR. WILLIAMS:

18 Q On that same topic, you defined it. How do
19 you calculate it to determine that it's what it
20 should be?

21 A Okay. I don't personally handle the
22 calculation, so I'm not completely familiar with it;

1 but it's basically an average of daily readings from
2 all the different delivery points throughout the --
3 our service territory.

4 Q "Delivery points," what do you mean?

5 A We get gas into the city through various
6 pipelines from other parts of the country and we have
7 a number of different points where those pipelines
8 come into our system. I'm not really an expert on
9 it, though, that would be more of an engineer type
10 thing.

11 Q So why -- due to the fact you confirmed
12 that it's part of your tariff listing, why you don't
13 have that calculation with the definition to show --
14 because sometimes you might do some math and you
15 might forget to carry the 1 and the 2, oh, that was
16 the wrong number and someone else could check it and
17 see, you know, where your mind should have been and
18 said oh, that's why that error came up, they didn't
19 carry the 1 or the 2 -- but at any rate, why that
20 equation is not part of your definition that would
21 show and confirm -- if it's a requirement of your
22 tariff listing and you reference the Administrative

1 Code here -- may have some values cited here, why
2 isn't this transferred in your definition?

3 A Well, the calculations as I said are
4 spelled out in our tariffs and also through the
5 Administrative Code and as for the calculations, I
6 can't answer to that because it's other departments
7 that prepare this specifically, so I don't know how
8 large or complex the data is.

9 Q Okay. So in all honesty, a normal Joe or
10 the client, they wouldn't be running to the
11 Administrative Code --

12 MR. BAILEY: Your Honor.

13 BY MR. KERMIT WILLIAMS:

14 Q -- now will they?

15 MR. BAILEY: Your Honor, this witness is not --

16 BY MR. KERMIT WILLIAMS:

17 Q I'm asking you a question. I'm asking you
18 a question.

19 JUDGE TEAGUE KINGSLEY: Mr. Williams, please.

20 Let him finish his objection, Mr. Williams.

21 MR. BAILEY: Your Honor, this witness is
22 prepared to testify as to the rates issues as

1 presented, not what an average customer or average
2 Joe would think about how -- the specifics of
3 calorimeters, BTU conversion factors or pressure
4 factors.

5 MR. KERMIT WILLIAMS: I'm trying to
6 establish --

7 JUDGE TEAGUE KINGSLEY: Your objection --

8 MR. KERMIT WILLIAMS: I'm trying to establish
9 the importance of why they should have it written
10 down, included in they definition like they have
11 everything else back here.

12 JUDGE TEAGUE KINGSLEY: Okay. I understand.

13 MR. KERMIT WILLIAMS: We understand what it is,
14 but we don't understand how they calculating it.

15 JUDGE TEAGUE KINGSLEY: Okay.

16 MR. KERMIT WILLIAMS: And it's not part of the
17 meter in which the gas go through.

18 JUDGE TEAGUE KINGSLEY: Okay. I'm going to
19 sustain the objection because I think the witness
20 said that he's not -- that's not his area of
21 expertise --

22 MR. KERMIT WILLIAMS: Right. I was --

1 JUDGE TEAGUE KINGSLEY: -- he can't really
2 answer that.

3 MR. KERMIT WILLIAMS: -- going to bring that
4 up, too.

5 JUDGE TEAGUE KINGSLEY: Is that a correct
6 characterization?

7 MR. BAILEY: That's correct, your Honor.

8 JUDGE TEAGUE KINGSLEY: Okay. Do you have
9 another question for him?

10 BY MR. KERMIT WILLIAMS:

11 Q A lot has been said -- could you explain to
12 me -- I don't know about them -- what's your
13 involvement with Peoples Gas?

14 A I'm in the Regulatory Affairs Department,
15 Gas Regulatory Services, to be specific.

16 Q And what's they function or services that
17 they provide?

18 A We handle filings with the Illinois
19 Commerce Commission. We develop rates and tariffs.
20 We administer them. We also have responsibilities to
21 make sure the rates are correct in our customer
22 information system.

1 Q Okay. So you part of the -- okay. Do --
2 now, exactly are you part of accounting also or are
3 you just like -- more like a collaborator?

4 A Probably some of each. We work closely
5 with a lot of different departments, including
6 Accounting. When we're involved in creating new
7 tariffs or things, we might get involved at times
8 with helping develop the accounting, but mainly we
9 work with a lot of different areas on that.

10 Q So you -- your department established the
11 gas charge fee cent per therm criteria that be on the
12 tariff list statements that, do you --

13 A We develop the rates, yes.

14 Q What I was trying to say is you are
15 involved in -- where it says the gas charge for
16 October is 47.35 cents per therm, you're part of
17 establishing that rate and the amount?

18 A Yes.

19 Q Or you just -- okay.

20 Now, in the accounting part, when they
21 charge the fee, why do you do a different equation?

22 A Pardon? I don't understand the question.

1 Q According to your tariff listing, you state
2 one thing and you apply something else?

3 MR. BAILEY: Your Honor, this is vague.

4 JUDGE TEAGUE KINGSLEY: Yeah.

5 MR. KERMIT WILLIAMS: No, I'm getting ready to
6 show --

7 JUDGE TEAGUE KINGSLEY: Mr. Williams.

8 MR. KERMIT WILLIAMS: -- come to a question on
9 the tariff list and I'd like for him to confirm.

10 JUDGE TEAGUE KINGSLEY: Okay. Wait.
11 Mr. Williams, I'm going to try to assist you.

12 MR. KERMIT WILLIAMS: This is in their exhibit.

13 JUDGE TEAGUE KINGSLEY: The question is not
14 clear. You have to tell us what exhibit you are
15 referring to.

16 MR. KERMIT WILLIAMS: Right.

17 JUDGE TEAGUE KINGSLEY: What page so everyone
18 knows what you are talking about.

19 MR. KERMIT WILLIAMS: That's what I'm going to
20 do. Yes.

21 JUDGE TEAGUE KINGSLEY: Okay.

22 MR. KERMIT WILLIAMS: I'm going to their

1 Exhibit 1.

2 JUDGE TEAGUE KINGSLEY: Uh-huh. Uh-huh.

3 MR. KERMIT WILLIAMS: I'm at billing date

4 January 2nd, 2014.

5 JUDGE TEAGUE KINGSLEY: January 2nd you said?

6 MR. KERMIT WILLIAMS: Huh?

7 JUDGE TEAGUE KINGSLEY: January --

8 MR. KERMIT WILLIAMS: 2nd, 2014 billing date.

9 JUDGE TEAGUE KINGSLEY: January 2nd, 2013, you

10 said?

11 MR. KERMIT WILLIAMS: Yes.

12 THE WITNESS: 2013 or 2014?

13 JUDGE TEAGUE KINGSLEY: 2013 or 2014?

14 MR. KERMIT WILLIAMS: Yeah, '14.

15 JUDGE TEAGUE KINGSLEY: Okay. So we're on

16 that.

17 MR. KERMIT WILLIAMS: Okay. Y'all ready?

18 JUDGE TEAGUE KINGSLEY: Yeah.

19 BY MR. KERMIT WILLIAMS:

20 Q Correct me if I read this wrong --

21 JUDGE TEAGUE KINGSLEY: Are you looking at this

22 side just so we know?

1 MR. KERMIT WILLIAMS: Right. Right. We're
2 going to look at the section where it says -- in the
3 blue area where it gives the gas charge for January.
4 I'm going to read the whole thing and tell me if I
5 made a mental error or something: The gas charge for
6 January is 47.73 cents per therm and for December, it
7 was 44.37 cents per therm. The gas charge reflects
8 how much Peoples Gas pay for gas, which is what you
9 pay; is that -- a true statement?

10 A What we pay is incorporated in the
11 calculation of the gas charge.

12 Q No. What I just read, is that true? Did I
13 read that correctly? I didn't ask you -- I just
14 read, I want to make sure I read that like it's
15 printed.

16 A Could you read it one more time, please.

17 Q Okay. The gas charge for January is 47.73
18 cents per therm --

19 JUDGE TEAGUE KINGSLEY: You know, Mr. Williams,
20 let me interrupt you one second. Let's go off the
21 record for one second.

22 (Break taken.)

1 JUDGE TEAGUE KINGSLEY: Mr. Williams, I think
2 you had some questions. We're back on the record.

3 BY MR. KERMIT WILLIAMS:

4 Q Could you confirm what I'm reading is
5 what's actually printed on the tariff statement for
6 January 2nd, 2014. I'm reading the section in
7 reference to the gas charges, then I'm going to go up
8 to the current usage billing period; but first here,
9 we go: The gas charges for --

10 JUDGE TEAGUE KINGSLEY: I don't want to cut you
11 off, but since we're really, really going over, can
12 you get to the question you have since you have
13 pointed him to the section? Can you just ask him the
14 question you have about this?

15 MR. KERMIT WILLIAMS: Okay.

16 BY MR. KERMIT WILLIAMS:

17 Q In this section it says you charging for
18 December is \$44 -- 44.37 cents per therm and this is
19 for the billing period from December 3rd of 2013 to
20 January 2nd, 2014, for a 30-day period; correct?

21 A The price for December is 44.37 and the
22 price for January is 47.73 per that section.

1 Q Okay. When we go to the gas charge section
2 to the left, on the right side, what do you have
3 there? It looks like you have a point 4459 and not
4 44.37?

5 A That's correct. The number --

6 Q That's more than -- you are charging more,
7 a mistake -- that's my point.

8 JUDGE TEAGUE KINGSLEY: You want him to answer
9 the question?

10 MR. KERMIT WILLIAMS: Pardon me?

11 JUDGE TEAGUE KINGSLEY: What's your question
12 about that?

13 BY MR. KERMIT WILLIAMS:

14 Q Why are you giving -- you are saying one
15 thing and doing another. You said you are part of
16 the tariff -- tariff listing and pricing and I really
17 wanted to ask you, do you know the difference between
18 this --

19 JUDGE TEAGUE KINGSLEY: Do you have an
20 objection?

21 BY MR. KERMIT WILLIAMS:

22 Q -- equation and what you've actually done?

1 A Yes, I do know.

2 Q Okay. So why is it you saying 44.37 cents
3 and you charge 44 -- basically 45 cents as opposed to
4 44 cent, you went up on it?

5 A Okay. If you look at the section in blue
6 under current usage, the billing period is from
7 12/3/2013 through 1/2/2014, so it spans two months.
8 The rate that you see under gas charge is a blended
9 rate reflecting the appropriate number of days for
10 each of these rates you see. It's a blended rate of
11 those two rates you see in the blue.

12 Q A blended rate?

13 A Based on the number of days.

14 Q Okay. You trying to say it's an average;
15 right?

16 A It's a blended rate.

17 Q Okay. Why is it that when you have -- in
18 the delivery charge your pro- -- prorate customer
19 charge and the old distribution charge and the new
20 distribution charge, why you don't just separate it
21 like that and get a difference? Why you splitting
22 the money? What's the logic behind that?

1 A In January of 2014, we implemented new
2 rates effective January 1st of 2014 based upon a
3 rehearing of a rate case that settled up in June of
4 2013, so the rates changed in January.

5 Q Okay. But you didn't blend the rate like
6 that. That's what I'm saying, your logic, your
7 thinking process changed and it's inconsistent.

8 JUDGE TEAGUE KINGSLEY: Mr. Williams, questions
9 only. Not testimony. So...

10 BY MR. KERMIT WILLIAMS:

11 Q Okay. Let me go back.

12 JUDGE TEAGUE KINGSLEY: You asked him the
13 questions and he explained the rates changed.

14 MR. KERMIT WILLIAMS: No, but that's in
15 relation to something else. I'm just trying to use
16 that as a comparison of why they -- they not
17 consistent.

18 MR. BAILEY: Your Honor, I'd like to object.
19 What does this have to do with the BTU factor, the
20 pressure conversion factor?

21 JUDGE TEAGUE KINGSLEY: Yeah, how is that
22 related to that?

1 MR. KERMIT WILLIAMS: Well, because that's --
2 because that's what -- you are saying you are
3 charging me certain amount of money per cent.

4 JUDGE TEAGUE KINGSLEY: So you're not talking
5 about the pressure issue anymore? What are you
6 talking about now?

7 MR. KERMIT WILLIAMS: I'm talking about
8 everything. I can't say both of them at the same
9 time.

10 JUDGE TEAGUE KINGSLEY: Okay. Mr. Williams,
11 this hearing has gone on for a while. So I need you
12 to ask a few more -- how many more questions do you
13 have?

14 MR. KERMIT WILLIAMS: Because -- this will lead
15 to the factor of your BTU. We established that you
16 don't do the calculation on the BTU like you
17 referenced in the Administrative Code here, it's not
18 your expertise, you are more a collaborator, but even
19 this equation say cents per therm and that -- your
20 294.20 therms is not a per, that is a -- overrated.
21 You are not charging you are not charging a price
22 what you said you -- you know what you pay.

1 JUDGE TEAGUE KINGSLEY: Mr. Williams, do you
2 have two more questions and then we're going to have
3 to...
4 MR. KERMIT WILLIAMS: I'm trying to see why
5 they charging more on they tariff list. That's the
6 problem.
7 JUDGE TEAGUE KINGSLEY: You have to ask a very
8 specific and direct question that is relevant to what
9 he has testified about.
10 MR. KERMIT WILLIAMS: He already stated he's
11 limited in providing information to the BTU.
12 JUDGE TEAGUE KINGSLEY: I know. We --
13 MR. KERMIT WILLIAMS: We already know --
14 JUDGE TEAGUE KINGSLEY: Mr. Williams, please,
15 please stop summarizing his testimony. If you could
16 just finish your questions with whatever couple
17 questions you have that are relevant to his
18 testimony --
19 MR. KERMIT WILLIAMS: His testimony --
20 JUDGE TEAGUE KINGSLEY: -- within the scope of
21 what he's --
22 MR. KERMIT WILLIAMS: -- derived from my

1 questions. How can I make his testimony --

2 JUDGE TEAGUE KINGSLEY: No. He testified -- he

3 testified about a specific topic. So if you have a

4 couple more questions related to that in this BTU

5 equation, please do so; but we --

6 MR. KERMIT WILLIAMS: That's what I'm talking

7 about.

8 JUDGE TEAGUE KINGSLEY: -- can't spend the

9 whole day --

10 MR. KERMIT WILLIAMS: The therms is not per in

11 the BTU, what he came up with --

12 JUDGE TEAGUE KINGSLEY: Right. But you're not

13 testifying --

14 MR. KERMIT WILLIAMS: -- is not per.

15 JUDGE TEAGUE KINGSLEY: Just ask him the

16 question.

17 MR. KERMIT WILLIAMS: I'm asking him why isn't

18 it -- the charge is not what they said what I read?

19 JUDGE TEAGUE KINGSLEY: I don't -- we don't --

20 restate the question.

21 MR. KERMIT WILLIAMS: What I read was, the gas

22 charge for January is -- and you cut me off and he

1 just briefly highlighted what he --

2 JUDGE TEAGUE KINGSLEY: Mr. Williams, I'm going
3 to give you an opportunity to ask two more questions.
4 Okay? And I need them to be specific, direct and
5 clear.

6 So what is your question?

7 BY MR. KERMIT WILLIAMS:

8 Q Okay. Let me approach it this way: Why --
9 you don't do the accounting, right or do you?

10 A For the BTU factor?

11 Q The accounting on the statements at large,
12 the tariff lists. You just -- refresh my memory.
13 What's your function?

14 JUDGE TEAGUE KINGSLEY: No. Mr. Williams,
15 we're not going to do that. We've done it two times
16 already when we went over what his job duties are. I
17 think you -- do you have any questions relating to
18 this equation? Do you have --

19 MR. KERMIT WILLIAMS: Yes.

20 JUDGE TEAGUE KINGSLEY: Okay. Give me two.

21 BY MR. KERMIT WILLIAMS:

22 Q Why wasn't I charged what they say I was

1 going to be charged? That's the whole point.

2 JUDGE TEAGUE KINGSLEY: Can you answer that
3 question?

4 THE WITNESS: In terms of the gas charge, which
5 I believe he's talking about, he was charged the
6 January rate for the number of days in January and
7 essentially the December rate for the number of days
8 in December using a blended rate to get at that
9 number.

10 JUDGE TEAGUE KINGSLEY: And blended means
11 average?

12 THE WITNESS: Based on the number of days in
13 December and January, that's what you apply to the
14 two different rates. One for January, one for
15 February and then what we show here is the result,
16 the gas charge that's used on this line item, point
17 4459 or 69. I can't see. Sorry.

18 JUDGE TEAGUE KINGSLEY: What do you mean by the
19 number of days? Can you -- I'm sorry, I don't get
20 it.

21 THE WITNESS: Essentially this bill -- if you
22 look in the blue part under "Current Usage," this

1 bill goes from the 3rd of December to the 2nd of
2 January.

3 JUDGE TEAGUE KINGSLEY: Mm-hmm.

4 THE WITNESS: So you've got rates that are in
5 effect for two days of January and then the December
6 rates are in effect for the balance of December.

7 JUDGE TEAGUE KINGSLEY: Okay.

8 THE WITNESS: Our way of handling this in our
9 customer information system is to show it on one line
10 with a blended rate and then to disclose the two
11 rates that are used in that to the right.

12 JUDGE TEAGUE KINGSLEY: Okay. I gotcha.

13 MR. KERMIT WILLIAMS: That's what I came --

14 JUDGE TEAGUE KINGSLEY: What's your second
15 question?

16 MR. KERMIT WILLIAMS: -- the comparison of the
17 old distribution charge and the new distribution and
18 compare it, why didn't they just calculate it like
19 that for the gas charge for the part in January and
20 the other part in December? That's what I was
21 asking. That's why I was doing the comparison. He
22 using the average I know what he -- what he means by

1 "blended."

2 JUDGE TEAGUE KINGSLEY: Mr. Williams, again you
3 are testifying. Do you have one more question?

4 MR. KERMIT WILLIAMS: No, I'm done.

5 JUDGE TEAGUE KINGSLEY: Okay. Is there any
6 redirect?

7 MR. BAILEY: There is no redirect, your Honor.

8 JUDGE TEAGUE KINGSLEY: Okay. Thank you,
9 you're excused.

10 THE WITNESS: You're welcome.

11 JUDGE TEAGUE KINGSLEY: Thank you all. As I
12 mentioned, I'm going to issue a Proposed Order. What
13 I'd like the parties to do -- it is not mandatory,
14 but it is helpful -- if you could -- I'd like you to
15 file a Proposed Order or a Draft Order or a Summary
16 of Position, if you want, you know, you don't -- I'm
17 not compelling you to do it.

18 MR. KERMIT WILLIAMS: I already filed mine.

19 JUDGE TEAGUE KINGSLEY: Okay. We can take that
20 into -- your complaint as your statement or summary
21 of your position.

22 MR. KERMIT WILLIAMS: A whole seven pages.

1 JUDGE TEAGUE KINGSLEY: And if the Company
2 would like to file a Draft Order, that would be
3 helpful.

4 MR. BAILEY: Yes, your Honor.

5 JUDGE TEAGUE KINGSLEY: Do you know -- you
6 know, it's going to take a couple weeks to get the
7 transcript. I'm thinking at least six or seven
8 weeks.

9 MR. BAILEY: Yeah, two weeks to get the
10 transcript.

11 JUDGE TEAGUE KINGSLEY: This is September,
12 October, November, so late November.

13 MR. BAILEY: Yeah, late --

14 JUDGE TEAGUE KINGSLEY: Let's go off the record
15 while we try to figure this out.

16 (Discussion off the record.)

17 JUDGE TEAGUE KINGSLEY: Let the record reflect
18 that we went off the record just to discuss a date
19 for Peoples Gas to submit a Draft Order and Peoples
20 has indicated that it's going to make its best
21 efforts to submit one around the last week in
22 November like after Thanksgiving, but you -- Peoples

1 has informed me that they do have a lot of different
2 dockets and schedules going on, so they are going to
3 make their best effort.

4 And, Mr. Williams indicated, you'd
5 like to use your complaint as your Summary of
6 Positions. You not be submitting one.

7 So that is all for today. I thank you
8 all and have a good day and I'm going to mark this
9 record heard and taken.

10 (Heard and taken.)

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